

High Court of Sikkim

Record of proceedings

Court No.2

I.A. No. 01 of 2024 in CrI. A./13/2024/(Filing No.)

Karna Bahadur Biswakarma @ Karney

Applicant

VERSUS

State of Sikkim

Respondent

Date : **24-04-2024**

CORAM : **THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE
THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE**

For Applicant Mr. Sunil Baraily, Advocate (Legal Aid Counsel).

For Respondent Mr. S. K. Chettri, Additonal Public Prosecutor.

ORDER

Rai, J.

Heard Learned Counsel for the Applicant/Appellant on I.A. No.01 of 2024, which is an application for condonation of 135 days delay in filing the Appeal.

Issue Notice to the State-Respondent.

Mr. S. K. Chettri, Additional Public Prosecutor for the State-Respondent is present on advance Notice and waives formal Notice.

Learned Counsel for the Appellant submits that the delay of 135 days occurred on account of his personal difficulties which were unavoidable in nature. That, his family member was hospitalised and had to undergo surgery at Siliguri. As he was tending to her the delay has occurred. He prays that the delay be condoned.

Learned Additional Public Prosecutor submits that he has no serious objection to the delay as Learned Counsel for the Appellant has conceded that it occurred on his personal unavoidable grounds.

Having considered the submissions and given due consideration to the grounds put forth for the delay, we are satisfied that the delay has been sufficiently explained and is accordingly condoned.

I.A. No.01 of 2024 stands disposed of accordingly.

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Register the Appeal.

Heard Learned Counsel for the Appellant.

Admit the Appeal.

Call for the records from the Learned Trial Court.

Let Paper-Books be prepared.

List on 03-06-2024.

Judge
24-04-2024

Judge
24-04-2024

ds/bp