

thereafter he challenged the said order by filing this revisional application.

On behalf of the Kolkata Municipal Corporation, an affidavit has been filed against the application for condonation of delay. There is no specific denial as to the averments made by the petitioner in his application for condonation of delay.

It has been submitted by the learned advocates representing the KMC and Mr. Swapan Banerjee, learned advocate representing the State that the money receipt appearing at page 25 does not match with the case number of this Court.

Mr. Chatterjee, in his reply, submits that the number mentioned in the money receipt is the number of the case of the trial Court.

A litigant should not be penalised for the laches or misconduct on the part of his learned advocate. In the present case, though I am of the view that the petitioner should have been more diligent in pursuing his case before this Court, I am inclined to grant him an opportunity to contest his appeal on merit.

Having regard to the facts and circumstances of the case, I condone the delay in preferring this revisional application subject to the condition that the petitioner will pay a cost of Rs.10,000/- to the State Legal Services Authority, West Bengal within a period of two weeks from date.

C.R.A.N. 1 of 2022 is disposed of.

(Kausik Chanda, J.)