

07.04.2026
Sl. Nos.3,4 & 5
Ct. No.14
ss

**IN THE HIGH COURT AT CALCUTTA
(Special Civil Jurisdiction)
APPELLATE SIDE
WPCRC 23 of 2026
in
W.P.A. No.1295 of 2024
With
CAN 1 of 2026
With
CAN 2 of 2026
Purnima Mondal & Anr.
Versus
Pinku Sona Ponda,
Pradhan of Shanrpur Lowda,
9 No. Gram Panchayat
With
WPA 5714 of 2026
With
WPA 5685 of 2026
Anupam Khanra
Vs.
State of West Bengal & ors.**

Mr. Dibyendu Chatterjee

Mr. Rahul Deb Goenka

Ms. Satabdi Das

Mr. Mainak Singha Barma

Ms. Sunanda Chatterjee

...for the Applicant/respondent
no.5 in WPA 1295 of 2024, petitioner in
WPA 5714 of 2026 and WPA 5685 of 2026.

Mr. Shibaji Kr. Das

Ms. Deblina De

...for the petitioner in WPA 1295 of 2024
and respondent nos.5 & 6 in WPA 5685 of
2026 and respondent nos.5, 6 & 7 in WPA
5714 of 2026

Mr. Bharat Ch. Simai

Mr. Sukanta Das

Mr. Shnehasis Jana

...for the alleged contemnor

Mr. Biplab Guha

Mr. Sudip Kumar Maity

... for the State in WPA 5685 of 2026

Re : CAN 1 of 2026 and CAN 2 of 2026

1. Composite affidavit-in-opposition filed on behalf of
the petitioner to the applications for recalling and

condonation of delay of the applicant-respondent no.5 is taken on record.

2. Affidavit-in-reply filed on behalf of the applicant-respondent no.5 to the composite affidavit-in-opposition of the petitioner is also taken on record.
3. These are the applications by which the applicant seeks for recalling of order dated 2nd April, 2025 passed in WPA 1295 of 2024 upon condonation of delay.
4. Admittedly, there is delay of 325 days in filing the recalling application.
5. Mr. Dibyendu Chatterjee, learned Advocate for the applicant-respondent no.5 submits that challenging the order dated 2nd April, 2025 the respondent no.5, Anupam Khanra, at the first instance filed an appeal being MAT 230 of 2026 which was dismissed on 18th February, 2026 on the ground of delay. Subsequent thereto, the respondent no.5 has filed the application before this Court seeking for recalling of the order dated 2nd April, 2025 upon condonation of delay.
6. Mr. Shibaji Kr. Das, learned Advocate for the opposite party/petitioner submits that upon dismissal of the appeal, the present application for recalling is not sustainable. He also submits that the grounds taken by the applicant-respondent no.5 in the Section 5 application before the

Hon'ble Division Bench are similar to the grounds taken in the application for condonation of delay before this Court. Such grounds for condonation of delay were not entertained by the Hon'ble Division Bench in MAT 230 of 2026. He seeks for dismissal of the applications.

7. On 2nd April, 2025 the writ petition being WPA 1295 of 2024 was disposed of with a direction upon the respondent no.2, Pradhan, Shanpur Lowada 9 No. Gram Panchayat to consider and dispose of the representation of the petitioner dated 8th November, 2023 by adopting certain procedures depicted in the said order. Such order was assailed in appeal being MAT 230 of 2026, which was dismissed on 18th February, 2026 upon dismissal of the application for condonation of delay being CAN 2 of 2026. Subsequent thereto, the respondent no.5 has filed the present applications seeking recalling of the order dated 2nd April, 2025 passed in WPA 1295 of 2024 upon condonation of delay. Since the appeal has been dismissed on the ground of delay in filing the appeal, there is hardly any scope to recall the order dated 2nd April, 2025. That apart, it is also relevant to note that there is no plausible reason demonstrated in the application disclosing the grounds for condonation of delay.

8. Accordingly, both the applications being CAN 2 of 2026 and CAN 1 of 2026 stand dismissed.

9. There shall be no order as to costs.

Re : **WPA 5685 of 2026**

10. Report filed by the State is taken on record. Copy served.

11. Mr. Shibaji Kr. Das, learned Advocate for the respondent nos.5 and 6 seeks to file affidavit-in-opposition to the writ petition.

12. Let such affidavit-in-opposition be filed within a period of three weeks from date. Advance copy of such affidavit-in-opposition be served upon the learned Advocate for the petitioner. Reply thereto, if any, be filed two weeks thereafter.

13. List this matter after five weeks under the heading **'Hearing'**.

Re : **WPA 5714 of 2026**

14. Mr. Shibaji Kr. Das, learned Advocate for the respondent nos.5, 6 and 7 seeks to file affidavit-in-opposition to the writ petition.

15. Let such affidavit-in-opposition be filed within a period of three weeks from date. Advance copy of such affidavit-in-opposition be served upon the learned Advocate for the petitioner. Reply thereto, if any, be filed two weeks thereafter.

16. None appears on behalf of the State-respondents.

17. Learned Advocate for the petitioner is directed to intimate the next date of hearing to the learned Advocate for the State.
18. List this matter after five weeks under the heading **'Hearing'**.

(Bivas Pattanayak, J.)