

04.12.2024.
PB
Sl. No.2.
Ct. No.25.

WPA 18132 of 2010
With
CAN 1 of 2024
With
CAN 2 of 2024

Chan Mohan Roy
Vs.
The State of West Bengal & Ors.

Mr. Duke Banerjee.
...For the petitioner.

Mr. Dipanjan Datta,
Ms. Paromita Malakar.
...For the State.

CAN 1 of 2024.

The applicant/writ petitioner has filed two applications being CAN 1 of 2024, praying for recalling of this Court's order dated 20th June, 2024, thereby dismissing the case for default. He seeks further that the writ petition being WPA 18132 of 2010 be restored to its original file and number.

CAN 2 of 2024.

He has also filed CAN 2 of 2024, seeking condonation of delay of 60 days in filing CAN 1 of 2024.

Copies served.

Learned advocate for the State respondent is also present.

After hearing submissions and on perusal of the records, it appears that the grounds pleaded by the applicant/writ petitioner in the said two applications are sufficient. On perusal of the same, the Court finds it proper to allow both the applications being CAN 1 of 2024 and CAN 2 of 2024.

The delay of 60 days in filing CAN 1 of 2024 is condoned.

This Court's order dated 20th June, 2024, is recalled.

The writ petition being WPA 18132 of 2010 be restored in its original file and number.

Learned advocate for the State respondent seeks leave to file affidavit in opposition and extension of time for the same. Considering to his request, it is directed that the State respondent shall file affidavit in opposition within a period of two weeks. Affidavit in reply be filed thereto, within one week, after reopening of this Court.

Let this matter be adjourned today and be fixed on 10th January, 2025, under the heading "Old Hearing Matters".

(Rai Chattopadhyay, J.)