

12.03.2026
Item No.6
Ct. no.14
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**W.P.A. 25641 of 2024
With
C.A.N. 1 of 2024**

**Md. Atikur Rahman
-Vs-
The State of West Bengal & ors.**

Mr. Soumya Deb Naskar
... for the applicant-petitioner

Mr. Suman De
Ms. Molly Saha
... for the State-respondent

Mr. Avishek Prasad
... for the DPSC, Malda

Re : CAN 1 of 2024

1. Affidavit of service filed on behalf of the applicant-petitioner is taken on record.
2. This is an application for restoration of the writ petition by recalling order of dismissal.
3. By order dated 5th November, 2024, the writ petition being WPA 25641 of 2024 was dismissed for default.
4. Mr. Soumya Deb Naskar, learned Advocate appearing on behalf of the applicant-petitioner submits that the learned Advocate on record for the petitioner failed to appear on the date the matter was taken up due to his illness. For such reasons, the writ petition was dismissed for default. He seeks for restoration of the writ petition upon recalling the order of dismissal.
5. Learned Advocates representing the State-respondents as well as the District Primary School

Council, Malda leave the matter to the discretion of the Court.

6. Considering the submissions advanced on behalf of the petitioner and on going through the averments made in the application, it is found that cause shown is sufficient to restore the writ petition by recalling order of dismissal.
7. Accordingly, order of dismissal dated 5th November, 2024 is recalled.
8. The writ petition being **WPA 25641 of 2024** is restored to its original file and number.
9. The application being **CAN 1 of 2024** stands disposed of.

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10. List this matter after two weeks.
11. Learned Advocate for the petitioner is directed to serve copy of the writ petition along with its annexures upon the learned Advocates for the State as well as for the District Primary School Council, Malda.

(**Bivas Pattanayak, J.**)