



Court No. 22
29.7.2022
(Item No. 2)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 22285 of 2011
+
CAN 1 of 2017
+
CAN 2 of 2017
+
CAN 3 of 2022
+
CAN 4 of 2022

Tulasi Bhattacharjee
Vs.
The State of West Bengal & Ors.

Md. Salauddin
Md. Ahsanuzzaman
Md. Raziuddin
..... for petitioner
Mr. Sandip Kumar Bhattacharyya
Mr. Suman Basak
..... for respondent No. 3

Affidavit of service filed in court today, is taken
on record.

In re: **CAN 4 of 2022**

This is an application for condonation of the
delay in filing the substitution application. The sole
original writ petitioner had died on July 21, 2021 as it
appears from **Annexure – P/1** to the said substitution
application.

The sole surviving legal heir and representative
of the original writ petitioner is named in paragraph 3
of the said application.

It appears that, there is a marginal delay in
filing the said substitution application. On perusal of
the averments made in the said application and for



the ends of justice, so that substantial justice should not suffer, such delay of about 38 days stands condoned.

In view of the above, **CAN 4 of 2022** stands allowed.

In re: **CAN 3 of 2022**

This is an application for substitution. The sole original writ petitioner died on July 21, 2021 as it appears from **Annexure – P/1** to the said application. The sole surviving legal heir and representative is named in paragraph 3 of the said application.

For the ends of justice, and on perusal of the averments made in the said application such substitution application is allowed in terms of paragraph 3 of the said application.

The substituted sole respondent should be impleaded in the cause title of the writ petition and wherever it is necessary and same shall be amended accordingly.

The department is directed to carry out and effect the said amendments within four weeks from date.

A copy of the amended writ petition should be served upon the respondents and the applicant is directed to file an affidavit of service in this regard when the writ petition will be taken up for further consideration.



In view of the above, **CAN 3 of 2022** stands allowed.

The applicant shall be at liberty to mention the writ petition after the substitution be carried out and effected.

(Aniruddha Roy, J.)