

23.02.2026
rc/ct.no.05
Item No.06

WPA No. 26251 of 2025
With
CAN 1 of 2025
Allen Felix
Versus
The State of West Bengal & Ors.

Mr. Allen Felix ..Petitioner-in-Person

Ms. Sumita Shaw
Mr. Aritra Bhattacharjee
Mr. Soumen Chatterjee
...for the private respondent no.8

Mr. Rwitendra Banerjee
Mr. S.Chatterjee
...for the private respondent no.7

Mr. Subir Pal for the State

Re : CAN 1 of 2025

Report submitted by the State is taken on record.

The petitioner seeks recall of the order passed on December 04, 2025 solely on the ground that though the 8th respondent stated before the Court that she is not pressing the complaint lodged against the petitioner, the complaint was not withdrawn. Also, report submitted by the State has not depict correct fact. The petitioner submits that the order suffers from error apparent from the face of the record.

I have considered the submission made on behalf of the parties.

The order passed on December 04, 2025 records the submission made on behalf of the 8th respondent that the said respondent does not intend to press the complaint. The date of lodging the complaint is not recorded. This Court also directed that in the event any of the complaints lodged by the petitioner was not responded to by the police authority, the petitioner would be at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance.

The allegation made by the petitioner in the present application may at best give rise to a separate cause of action. There is no ground for recalling the order passed by this Court earlier.

In view of the above, CAN No. 1 of 2025 is dismissed.

There shall, however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)