



2023:CHC-AS:27865

11.03.2026
Sl. No.2(DL)
Ct. No.14
srm

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

**W.P.A. No. 26632 of 2022
with
CAN 2 of 2025
with
CAN 3 of 2025**

**Narendra Nath Adak & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Sudarshan Ghosh
...for the Applicants/Petitioners.

Mr. Gourav Das
...for the DPSC, South 24-Parganas.

Re: **CAN 2 of 2025 with CAN 3 of 2025**

1. Supplementary affidavit to CAN 2 of 2025 filed by the petitioners/applicants is taken on record.
2. On 4th November, 2024, the writ petition being WPA 26632 of 2022 along with CAN 1 of 2023 was dismissed for default.
3. By the present applications, the petitioners/applicants seek for recalling of the order dated 4th November, 2024 upon condonation of delay.
4. Mr. Sudarshan Ghosh, learned Advocate for the petitioners/applicants submits that the application being CAN 1 of 2023 was filed for correction of the order dated 18th May, 2023 by which the writ petition was disposed of. On the date the matter was taken up, none appeared for the applicants and the Hon'ble Court could not be apprised of the facts leading to filing of the application for correction and the writ



petition was dismissed though it was disposed of on an earlier date. Consequently, the application for correction of order was also dismissed. In view of his aforesaid submissions, he seeks for appropriate orders for recalling of the order of dismissal dated 4th November, 2024.

5. Mr. Gourav Das, learned Advocate appearing for the District Primary School Council, South 24-Parganas submits that the order dated 4th November, 2024 has been passed dismissing the writ petition which was earlier disposed of by this Court. He leaves the matter to the discretion of the Court.
6. At the outset, it is found that by order dated 18th May, 2023 the writ petition was disposed of. Thereafter, the petitioner filed an application being CAN 1 of 2023 seeking for some modifications/ corrections of the order dated 18th May, 2023. However, due to non-appearance of the learned Advocate for the applicants/petitioners on 4th November, 2024 it was recorded in the order that the writ petition is dismissed for default. In fact, the writ petition was disposed of on the earlier occasion.
7. It is found that cause shown is sufficient to restore the application upon condonation of delay.
8. Accordingly, order dated 4th November, 2024 is recalled to the extent that application being CAN 1 of 2023 is restored to its original file and number.
9. The applications being **CAN 2 of 2025** and **CAN 3 of 2025** stand disposed of.



Re : **CAN 1 of 2023**

10. CAN 1 of 2023 is taken up with the consent of the parties and treated as on day's list.
11. Mr. Sudarshan Ghosh learned Advocate for the petitioners/applicants submits that in the order dated 18th May, 2023 there has been wrong recording as follows.
 - (i) In the second line of the order, "*TET 2014*" is recorded instead of "*written test of Selection Process, 2009 conducted by the District Primary School Council, South 24-Parganas*".
 - (ii) In the fourth line of the order, "*the Board*" is recorded instead of "*the District Primary School Council, South 24-Parganas*".
12. Accordingly, the aforesaid order is modified as follows.
 - (i) In the second line, the words "*written test of Selection Process, 2009 conducted by the District Primary School Council, South 24-Parganas*" be read instead of "*TET 2014*".
 - (ii) In the fourth line, the words "*the District Primary School Council, South 24-Parganas*" be read instead of "*the Board*".
13. The aforesaid order is modified to the above extent.
14. The other portions of the order shall remain unaltered.
15. This order shall form part of order dated 18th May, 2023.



16. The respondent No.3 is directed to intimate the results to the petitioners' Advocate within a period of three weeks from the date of communication of this order.
17. Learned Advocate for the petitioners/applicants is directed to communicate this order to the respondent No.3, for necessary compliance.
18. Accordingly, application being CAN 1 of 2023 stands disposed.
19. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)