

19.08.2025
Ct. No.33
Sl. No.11
cm

WPA 27556 of 2006
CAN 1/2017 (Old No. CAN 6455/2017)
CAN 2/2017 (Old No. CAN 6458/2017)
D.D. Paul @ Deb Das Paul
Vs
Union of India & Ors.

Ms. Arifa Sultana
... for the petitioner
Mr. Uttam Basak
... for the respondents/UOI

In Re: CAN 1/2017 (Old No. CAN 6455/2017)
In Re: CAN 2/2017 (Old No. CAN 6458/2017)

The instant writ petition was earlier dismissed vide order dated 4th March, 2016 passed by a Coordinate Bench of this Court. The learned advocate representing the petitioner submitted to have filed CAN application being 2/2017 for condoning the delay of 493 days in filing restoration application being CAN 1/2017 (Old No. CAN 6455 of 2017).

The Learned Advocate representing the respondents/CISF has filed affidavit-in-opposition against the aforesaid application under Section 5 Limitation Act being CAN 1/2017 (Old No. CAN 6455 of 2017). The learned advocate representing the respondents/CISF has relied on the decision passed in **Pathapati Subba Reddy(died) by Lrs & Ors. Vs. Special Deputy Collector¹**.

Considering the averments in the aforesaid applications as well as the affidavit-in-opposition filed

¹ 2024 SCC online SC 513

against the aforesaid applications. The lapse on the part of the learned advocate to have missed the list should not prejudice the petitioner. Accordingly, the order dated 4th March, 2016 is recalled.

Let the writ petition be restored to original file and number.

Accordingly, the applications being CAN 1/2017 (Old No. CAN 6455 of 2017) and CAN 2/2017 (Old No. CAN 6458/2017) are disposed of.

The learned advocate representing the petitioner has filed affidavit-in-reply. Let the same be kept on record.

Next date be fixed on 16th September, 2025.

(Ananya Bandyopadhyay, J.)