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12.03.2025
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Ct 654

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 31145 of 2008

With
CAN 1 of 2024
And
CAN 2 of 2024

Sreekanta Barman
versus
State of West Bengal & Ors.

Mr. Asim Hati
Ms. Nandini Sharma
Mr. Antariksha Karmakar
... For the applicant/petitioner.

In re: CAN 2 of 2024

Affidavit of service filed in Court today is taken on record.

Despite service, none appears on behalf of the respondents.

Heard the learned advocate appearing for the applicant/petitioner and perused the averment made in the application for condonation of delay.

I am satisfied that sufficient cause was available that prevented the applicant/petitioner from filing the restoration application within the prescribed period of limitation.

Accordingly, the application for condonation of



delay is allowed. Delay is condoned.

The application, being CAN 2 of 2024 is disposed of.

In re: CAN 1 of 2024

Having heard the learned advocate for the applicant/petitioner and upon perusal of the averment made in the application, I am satisfied with the explanation provided towards absence of the learned advocate of the petitioner on 21st November, 2022, when the writ petition was dismissed for default. The application is allowed.

Accordingly, the order dated 21st November, 2022 is recalled and the writ petition is restored to its original file and number.

The application, being CAN 1 of 2024 is disposed of.

Let the writ petition, being WPA 31145 of 2008 appear one week hence.

The petitioner is directed to communicate this order to the respondents and to file an affidavit of service on the returnable date.

(Partha Sarathi Chatterjee, J.)