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24.06.2024
Ct. No. 11
Jayanta

WP.ST 256 of 2024
With
IA No: CAN 2 of 2023
With
IA No: CAN 3 of 2023
With
IA No: CAN 4 of 2024

Biren Chandra Dey & Ors.
Vs
The State of West Bengal & Ors.

Mr. Sardar Amjad Ali, Lr. Adv.
Mr. Samir Kumar Ghosh
.....For the Petitioners.
Mr. Tapan Kumar Mukherjee, Ld. AGP
Mr. Somnath Naskar
Mr. Arindam Ghosh
.....For the State respondents.

IA No: CAN 3 of 2023 [Section 5]
and
IA No: CAN 2 of 2023 [Restoration]

Affidavit-of-service filed by the petitioners be kept on record.

The application CAN 2 of 2023 has been preferred praying for recalling the order dated 26th July, 2023 passed in WP. ST. 256 of 2014 along with an application for condonation of delay being CAN 3 of 2023.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, we are satisfied with the explanation given towards the delay in filing the restoration application and towards the absence of the learned advocate of the petitioners before the Court on 26th July, 2023 when the

writ petition along with the connected application were dismissed for default.

Accordingly, the delay is condoned and the order dated 26th July, 2023 passed in WP.ST. 256 of 2024 is recalled. The writ petition and the connected application are restored to their respective original file and number.

The applications being **CAN 2 of 2023** and **CAN 3 of 2023** are accordingly disposed of.

(Partha Sarathi Chatterjee,J.) (Tapabrata Chakraborty,J.)