

01
Jalpaiguri
08.04.2022
AK

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side
From Principal Bench**

**IA No: CAN 1 of 2022
in
WPA 688 of 2022**

Ali Khatirul
Vs.
The State of West Bengal and others

Mr. Sanjay Mukherjee
Mr. Dhananjay Nayak

.... for the petitioner.

Mr. Manas Kundu
Mr. Debabrata Mondal

...for the State.

Mr. Kanak Kiran Bandyopadhyay

...for WBSEDCL.

The vacating application is sought to be moved by learned counsel for the WBSEDCL on several grounds.

Upon query of court, however, learned counsel for the WBSEDCL submits that no reconnection has been given as yet, pursuant to the order dated March 22, 2022 as directed by this court.

It is evident that the vacating application has been filed to cover up such laches of the WBSEDCL in not giving such reconnection in time. However, it

would be premature to decide on the fate of the vacating application at the present moment.

First of all, the WBSEDCL has to show its *bona fides* by giving the reconnection to the petitioner as per direction dated March 22, 2022, which has not yet been done despite the time stipulated therefor having expired.

Such restoration of connection shall be given within 24 hours from now.

Since the writ petitioner seeks to use an affidavit-in-opposition to the allegations made in the vacating application, the writ petitioner, that is, the opposite party in the present vacating application bearing CAN 1 of 2022, is directed to file his affidavit-in-opposition within April 18, 2022 along with reply to the affidavit-in-opposition filed by the WBSEDCL.

The WBSEDCL shall file reply to the affidavit-in-opposition used by the writ petitioner to the vacating application, if any, within April 25, 2022.

The matter shall next be enlisted for hearing on April 27, 2022.

It is made clear that the vacating application, that is, CAN 1 of 2022 shall be heard along with WPA 688 of 2022 on the next hearing date and both shall be disposed of together or consecutively.

(Sabyasachi Bhattacharyya, J.)