

od-12

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

IA NO. GA/1/2026
In WPO/1161/2024
M/S SIMPLEX INFRASTRUCTURES LIMITED
Vs
UNION OF INDIA AND ORS.

BEFORE :
HON'BLE JUSTICE SMITA DAS DE
DATE : 14th August, 2026.

Appearance :
Mr. Ananda Sen, Adv.
Mr. Sabyasachi Mandal, Adv.
Mr. Anuran Samanta, Adv. ...for petitioner.

Mr. Vipul Kundulia, Sr. Adv.
Mr. Anurag Roy, Adv. ..for respondents.

The Court :- GA/1/2026 is an application for restoration of the writ petition No. 1161 of 2025 which was dismissed for default on 15th July, 2026 due to non appearance of the petitioners learned counsel.

That sufficient cause has been shown in paragraph 16 of the instant application for non appearance on the said date.

It is further submitted that the petitioner also could not pray for extension of the interim order dated 20.5.2026 on 15.7.2026 on account of the dismissal of the writ petition.

The interim order dated 20.5.2026 expired by efflux of time on 31.7.2026 only because of the main matter stood dismissed.

That in the interest of justice, the order dated 15th July be recalled and the writ petition be restored to its original file and number.

It was further prayed that the interim order dated 20.5.2026 be extended till the disposal of the writ petition.

Learned counsel appearing on behalf of the respondent authorities does not oppose the prayer for restoration made by the petitioner.

However, it was submitted that any extension of relief may be considered by this Court in accordance with law and upon hearing both parties on merits.

Having heard learned counsel appearing for both the parties and upon perusal of the averments made in the application this court is satisfied with the cause shown for the non appearance of the petitioner on 15.7.2026, as a consequence of which WPO 1161 of 2024 was dismissed for default.

The court further notes that due to the dismissal of the writ petition, the petitioner was unable to seek extension of the interim order dated 20.5.2026 which consequently expired on 31.7.2026.

Accordingly GA 1 of 2026 is allowed. WPO no. 1161 of 2024 is restored to its original file and number.

The interim order passed earlier by this Court vide order dated 20.5.2026 is hereby extended till 30.11.2026 or until further order whichever is earlier.

Let the matter appear in the monthly list of November, 2026.

Affidavit in reply to the opposition filed by the respondent authorities be kept on record.

(SMITA DAS DE, J.)