

Party Name : BIKASH DEB Vs STATE OF TRIPURA & 3 ORS

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA THE HONBLE MR JUSTICE U. B. SAHA

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Mr. P.K. Biswas, learned Sr. Counsel for the petitioner, submits that in the writ petition reference had been made to the appellate order dated 09-03-2010, but the same was not inadvertently annexed. Mr. Biswas also submits that after the filing of the writ petition the appellant has been acquitted in the criminal case relating to the same charges. Sri Biswas prays for time to amend the petition.

We are clearly of the view that the petition cannot be permitted to be amended at this stage. We, however, permit Sri P.K. Biswas to withdraw the petition with liberty reserved to him to file a fresh petition on the same cause of action annexing the appellate order as well as the raising grounds in relation to the acquittal. In case, such writ petition is filed within three months from today, then objection of delay in laches will not be available to this Court.

Accordingly, the writ petition is disposed of as withdrawn.