

02 15.5.2024
Sc Ct. no.2

WPA 1217 OF 2011

With

I.A. No. CAN 1 OF 2019
(Old No. CAN 10135 of 2019)
(Application for restoration)

Krishna Mondal (Chakraborty)

-vs.-

State of West Bengal & Ors.

Mr. Sobhan Majumder
Mr. Himangshu Ghosh.

..... For the Applicant/
Petitioner

Affidavit-of-service, filed in Court today, is taken on record. The same shows due service of notice upon the respondents.

The writ petition was filed in **2011**. By an order dated **March 12, 2019** the writ petition was **dismissed for non-prosecution** as the petitioner did not intend to proceed any further.

I.A. No. CAN 1 OF 2019
(Old No. CAN 10135 of 2019)

This is an application for recalling of the said order dated **March 12, 2019** on the ground mentioned in this application.

Mr. Sobhan Majumder, learned counsel appears for the applicant/petitioner.

Since none appears for the respondents and considering the long pendency of this writ petition, Mr. Shamim ul Bari, learned State counsel and Mr. Sabyasachi Mondal, learned State counsel who normally appear in this type of matters are requested to appear in this matter and to hold the brief to assist this Court henceforth. Their appearance shall be regularized by the office of the learned Government Pleader forthwith.

Considering the facts situation, the applicant/petitioner shall serve a further notice upon the respondent nos. 3 and 4 and shall file affidavit-of-service when the matter shall be taken up next.

The applicant/petitioner shall serve a copy of the writ petition and application upon both the said learned State advocates.

Mr. Bari shall serve a notice along with a copy of today's order upon the respondent no.2, who in turn shall serve a notice along with a copy of today's order upon the respondent nos. 3 and 4 to enable them to be represented before this Court on the next day.

In the event the respondent nos. 3 and 4 are not represented on the next day with proper instruction and records, the Court may proceed to take steps in

accordance with law as the respondent nos. 3 and 4 are not represented today despite notice.

The matter shall appear under the heading “***Application***” on ***June 19, 2024***.

(Aniruddha Roy, J.)