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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 921 of 2021

(Via Video Conference)

**Haydar Ali Khan @ Haider Ali Khan
@ Bapan
-vs.-
The State of West Bengal & Ors.**

Mr. Purnasish Gupta,
Mr. J.K. Mukhopadhyay,
Ms. Mary Datta
...for the petitioner

Mr. Saibal Bapuli,
Md. Sabir Ahmed
...for the State-respondents

The writ petition was filed by the petitioner with the grievance that the petitioner's prayer for parole was being kept in abeyance for an inordinate period.

However, in the meantime, the petitioner has preferred a Special Leave Petition before the Supreme Court against the confirmation of conviction of the petitioner. In connection with the said proceeding, bearing Special Leave Petition (Criminal) Diary No. 1027/2021, the Supreme Court passed an order on January 29, 2021, rejected the petitioner's application for exemption from surrendering and the petitioner was granted four weeks' time to surrender and to file proof thereof.

Hence, it transpires that the surrender, as directed by the Supreme Court, negates the very basis of the cause of action for the present writ petition regarding parole.

Accordingly, W.P.A. No. 921 of 2021 is dismissed as infructuous.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

Copy of the order of the Supreme Court filed in Court today be kept on record.

(Sabyasachi Bhattacharyya, J.)