

20.12.2023
Item No. 1
Crt.No.22
b.r.

WPA 4647 of 2009
IA No. CAN 1 of 2023, CAN 2 of 2023

Bhairab Kumar Malik
-vs-
The State of West Bengal & Ors.

Mr. Anita Khatri
.... For the petitioner/applicant.

Mr. Gourav Das
Ms. Mrinalini Majumder
.... For the State.

In Re: IA CAN 2 of 2023

This is an application seeking condonation of delay for about 688 days as pleaded in **paragraph-11** to the application.

Ms. Anita Khatri, learned advocate submits that this writ petition pertains to **Madhyamik Siksha Kendra (MSK)**. This Court has determination.

The writ petition was dismissed on **September 16, 2021** during the COVID period. Following the decision of the Hon'ble Supreme Court, the larger Bench of this Court also held that the period of limitation shall be extended covering the period during the COVID period.

Considering the averments made in this said application and for the ends of justice, the delay stands condoned.

CAN 2 of 2023 stands **allowed**, without any order as to costs.

Mr. Gourav Das, learned Counsel, appears for the State-respondents.

In Re: CAN 1 of 2023

This is the restoration application connected with the above CAN 2 of 2023.

In view of the observation made and the order passed in CAN 2 of 2023 and sufficient cause being shown in the application as to why the petitioner was prevented from being represented when the writ petition was dismissed for default, for the ends of justice also, the order of dismissal dated September 16, 2021 stands recalled.

The writ petition stands restored to its original file with number.

CAN 1 of 2023 stands **allowed**, without any order as to costs.

(Aniruddha Roy, J.)