

06.02.2025.
PB
Sl. No.8.
Ct. No.25.

WPA 5311 of 2007
With
CAN 2 of 2024
With
CAN 3 of 2024

Adwaitya Roy & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Moniruzzaman,
Mr. Jahangir Badsha.
... For the petitioner.

CAN 2 of 2024 and CAN 3 of 2024 are the two petitions by the applicant/writ petitioner (WPA 5311 of 2007), to pray for restoration of the writ petition by recalling the Court's order dated June 28, 2021, thereby dismissing the writ petition for default and condonation of delay of 1157 days in filing CAN 2 of 2024.

Learned advocate for the applicant appears and submits that due to the laches on the part of the learned conducting lawyer, petitioner could not have been represented on the concerned date before the Court, for which the petitioner would have no role to contribute. He would seek that the order dismissing the writ petition for default dated June 28, 2021, may be recalled.

Considering the ground as above, it appears that those are the substantive and sufficient, the Court finds it proper to allow the writ petition.

Hence, CAN 3 of 2024 is allowed thereby condoning the delay of 1157 days in filing CAN 2 of 2024 by the applicant.

CAN 2 of 2024 is allowed, thereby recalling this Court's order dated June 28, 2021 and restoring the writ petition being WPA 5311 of 2007 in its original file and number.

CAN 2 of 2024 and CAN 3 of 2024 are disposed of.

Let this matter be listed in the monthly cause list of March, 2025, under the heading "Old Hearing Matters".

(Rai Chattopadhyay, J.)