

January 8, 2021

ARDR
(5)

WPA 21223 of 2011

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CAN 5806 of 2018

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CAN 5594 of 2018

Sk. Apsarul Hossain

Vs.

The State of West Bengal & ors.

Mr. Ekramul Bari,

Ms. Tanuja Basak,

...for the petitioner.

It appears from the records that the writ petition was dismissed for default by an order dated 12th June, 2013 by a coordinate bench. Long after the dismissal of the said writ application for default an application being CAN 5594 of 2018 for restoration of the writ petition as well as CAN 5806 of 2018 being an application for condonation of delay in filing the restoration application, were filed. The said two applications are pending.

Today, when the matter is called on Mr. Bari, learned Advocate representing the applicant submits that these applications may be dismissed being not pressed and leave be granted to the applicant to file a fresh writ petition on the self-same cause of action.

Considering the submissions made on behalf of the applicant, the application being CAN 5806 of 2018

and another application being CAN 5594 of 2018 are dismissed being not pressed.

Both the applications above referred to being CAN 5806 of 2018 and CAN 5594 of 2018 are treated on day's list and dismissed by passing this order acceding to the prayer made on behalf of the applicant/writ petitioner.

However, leave is granted to the applicant to file fresh writ petition on the self-same cause of action, if so advised.

(Saugata Bhattacharyya, J.)