

10.12.2021.
Court No.13
Item No. 171
ap

W.P.A. No. 10973 of 2020
With
CAN 1 of 2021
And
CAN 2 of 2021
(Through Video Conference)
Sri Sujoy Kumar Ghosh & Ors.
Versus
The State of West Bengal & Ors.

Ms. Reshmi Ghosh,
Mr. Soumya Sankar Chini.

...For the petitioners.

Mr. Ashim Kumar Ganguly,
Ms. Sukla Das Chandra.

..For the State.

In Re: CAN 2 of 2021 (Sec.5)

This is an application filed under Section 5 of the Limitation Act for condonation of delay of about 186 days in filing the restoration application.

Having heard the learned Advocate appearing on behalf of the respective parties as also considering the statements made in the said application, I am satisfied with the grounds indicated explaining delay of 186 days in preferring the restoration application.

The application for condonation of delay being CAN 2 of 2021 is, thus, allowed and disposed of.

There will be, however, no order as to costs.

In Re: CAN 1 of 2021 (Restoration)

Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 5th

March, 2021 before the Co-ordinate Bench (Arindam Mukherjee, J.).

The said order is recalled and the writ petition is restored to its file and number.

Accordingly, CAN 1 of 2021 is disposed of.

There will be, however, no order as to costs.

In Re: W.P.A No. 10973 of 2020

Despite service of notice, the private respondents are not represented. Affidavit-of-service filed in Court today be taken on record.

The petitioners shall serve notice afresh on the private respondents indicating that the matter shall be listed as a motion on 15th December, 2021.

The Officer-in-charge, Haridevpur Police Station shall notify the private respondents of the instant writ petition.

Officer-in-charge, Haridevpur Police Station has given instructions dated 10th December, 2021 to the learned Government Pleader. The same is taken on record.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

