

02 11.03.2024
NB Ct. 14

WPA 7084 of 2022
CAN 1 of 2024

Shruti Mohan Jainapur
Vs.
The Regional Commander Coast Guard & Ors.

Mr. Alotriya Mukherjee.
...for the petitioner.

Mr. Debapriya Gupta,
Ms. Anamika Pandey.
...for the respondent nos.1 to5.

It appears that the writ petition was dismissed for default by a coordinate Bench of this Court on 28.11.2022.

Learned counsel appearing on behalf of the applicant prays for restoration of the matter. He further submits that his client, in the meantime has already filed another writ petition on the self-same grounds. Therefore, after restoration, the petitioner would like to withdraw the instant writ petition.

Learned counsel appearing on behalf of the respondent nos.1 to 5 submits that it was wrong on the part of the petitioner to have filed a writ petition during pendency of this one.

After perusing the application for restoration and upon hearing the parties, it appears that the petitioner had made out a case for restoration.

Accordingly, the application for restoration is allowed.

Let the writ petition be restored to its original file and number.

The application being CAN 1 of 2024 is disposed of.

As the learned counsel appearing on behalf of the petitioner submits that his client would not like to press the writ petition, accordingly, the same is dismissed of as not pressed.

The question of maintainability of the other writ petition is to be agitated before the Court taking up such petition.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)