

25.03.2022.
Court No.13
Item No. 18
ap

**W.P.A. No. 6697 of 2005
With
CAN 3 of 2021
And
CAN 4 of 2021
(Through Video Conference)**

**Dipti Pal & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Sanjoy Ghosh.

...For the petitioners.

Mr. Pantu Deb Roy, ld. AGP,
Mr. Pannalal Bandyopadhyay.

..For the State.

In Re: CAN 3 of 2021 (Sec.5)

This is an application filed under Section 5 of the Limitation Act, 1963 for condonation of delay of about 596 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 596 days in preferring the restoration application.

The application for condonation of delay being CAN 3 of 2021 is, thus, allowed and disposed of.

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

In Re: CAN 4 of 2021 (Restoration)

Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 6th

February, 2020 before the Co-ordinate Bench (Ravi Krishan Kapur, J.).

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

Accordingly, CAN 4 of 2021 is disposed of.

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

In Re: W.P.A No. 6697 of 2005

The writ petitioners seek mandamus directing the respondents to release the seized articles in connection with G.D.E. No. 1033 of 1993 dated 16.11.1993, Khardah Police Station and also GDE No. 289 of 19933 dated 03.01.1993.

The petitioners may apply before the Additional Chief Judicial Magistrate, inter alia, under Sections 102/457 and/or under Chapter 34 of the Code of Criminal Procedure, 1973. Upon receipt of the petitioners' application, the concerned learned Additional Chief Judicial Magistrate may dispose it of within a period of two months thereof.

With the aforesaid orders, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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.)

