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27.06.2022.
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 11212 of 2022

Gopal Matia

-vs.-

State of West Bengal & Ors.

Mr. Apurba Kumar Chakraborty,
Mr. V.K. Jana

...for the petitioner

Ms. Manika Roy

...for the respondent no. 8

This Court does not otherwise have determination to take up this matter since it arises from the Highways Act.

However, in view of the innocuous prayer made by learned counsel for the petitioner, the following order is being passed:

- (i) On the prayer of learned counsel appearing for the petitioner, on instruction, W.P.A. No. 11212 of 2022 is dismissed as withdrawn, with liberty to the petitioner to prefer an appeal before the appropriate appellate authority in accordance with law.
- (ii) If such appeal is preferred, the appellate authority shall decide the same subject to the law of limitation and in accordance with law,

upon giving adequate opportunity of hearing
to all concerned.

There will be no order as to costs.

Urgent photostat certified copies of this order, if
applied for, be made available to the parties upon
compliance of all necessary formalities.

Affidavit-of-service filed in Court today be kept
on record.

(Sabyasachi Bhattacharyya, J.)