

27th April,
2022
(AK)
07

W.P.A 19215 of 2021

Asraf Ali Mondal
Vs.
The State of West Bengal and others

Mr. Partha Sarathi Deb Barman
Mr. Anindya Sundar Das
Ms. Avipsa Sarkar
Ms. Taslima Khatun
Mr. Avijit Roy
...for the petitioner.

Mr. Lalit Mohan Mahata
Mr. Rudranil De
...for the State.

Mr. Arka Bhattacharya
Mr. Banshi Badan Maity
...for the respondent no.3.

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

On the prayer of learned counsel for the petitioner, leave is granted to the learned advocate-in-record for the petitioner to expunge the names and details of respondent nos.5 and 6 from the cause title of the writ petition.

Necessary consequential amendment to the cause title shall be carried out by the learned advocate for the petitioner during the course of the day.

At the juncture when the matter is sought to be moved by the petitioner, learned counsel appearing for the State-respondent submits that, as per the amended

sub-Section (5) of Section 23 of the West Bengal Panchayat Act, 1973, the authority to take steps under the said Section has now vested in the concerned sub-Divisional Officer.

Learned counsel appearing for the petitioner, accordingly, seeks leave to withdraw the writ petition with liberty to file afresh on the self-same cause of action.

Accordingly, WPA 19215 of 2021 is dismissed as withdrawn, with liberty to the petitioner to move this court subsequently on the self-same cause of action and/or any subsequent ancillary cause of action arising from the present one.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)