

MAT 1295 of 2017
with
IA No. CAN 2 of 2022

(Hachina Bibi & Ors. Vs. The Pradhan,
Hadipur Jhikra No. 1 Gram
Panchayet & Ors.)

Mr. Mohinoor Rahaman
Ms. Maria Rahaman
Ms. Iqra Rahaman

..... For the appellants

Mr. Subhabrata Datta, Ld. Sr. Govt. Adv.
Mr. Sanatan Panja

..... For the State

The present appeal has been preferred challenging an order dated 29th June, 2017 passed in a writ petition being WP No. 25625 (W) of 2016.

Records reveal that the appeal was dismissed for default by an order dated 17th June, 2022.

Upon hearing Mr. Rahaman, learned advocate appearing for the appellants and Mr. Datta, learned senior Government advocate appearing for the State respondents, we are satisfied with the explanation given towards the absence of the learned advocate of the appellants before the Court on 17th June, 2022 when the appeal was dismissed for default.

In view thereof, the order dated 17th June, 2022 is recalled and the appeal is restored to its original file and number.

The application for restoration being **CAN 2 of 2022** is disposed of.

With the consent of the parties, the appeal is taken up for hearing.

Mr. Rahaman submits that the learned single judge disposed of the writ petition abruptly and the order impugned does not stand fortified with appropriate reasons.

Upon considering the arguments as advanced on behalf of the writ petitioners, the learned Single Judge was pleased to observe that *'it is open to the petitioner to agitate such issue before the appropriate authority in accordance with law'*.

In view of such direction, the appellants have not been prejudiced in any manner.

We do not find any infirmity in the order impugned warranting interference of this Court in the present appeal.

In view thereof, the appeal being **MAT 1295 of 2017** is dismissed.

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

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)