

Item No. 200

17.11.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 18062 of 2019
Suprakash Maity & Ors.
-vs.-
The State of West Bengal & Ors.
with
CAN 1 of 2022

Mr. Manoranjan Jana
Ms. Mitali Jana
... for the petitioners.

Mr. Saibal Acharya
Mr. Kallol Kumar Maity
... for the applicants.

An application for recalling and/or modification of the order dated June 13, 2022 has been filed by the private respondents in the writ petition.

By order dated June 13, 2022 the Court disposed of the writ petition in the presence of the petitioners by directing the Pradhan of the Gram Panchayat to take a decision with regard to the prayer of the petitioners in accordance with law after giving reasonable opportunity of hearing to all the necessary parties. The Pradhan was directed to pass a reasoned order and communicate the same to the parties.

The Court made it clear that it had not entered into the merits of the claim of the petitioners and all points were left open to be decided by the Pradhan at the time of consideration of the representation of the petitioner.

It appears from the said order that no injustice and/or prejudice have been caused to the applicants/private respondents by the order dated June 13, 2022. The rights of the private respondents have been kept intact to be taken up for consideration by the Pradhan at the time of consideration of the representation of the petitioners. The applicants have the right to put forward their defense before the Pradhan.

In view of the above, I am of the opinion that there is no requirement of recalling the order dated June 13, 2022.

The application for recalling fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)