

33 02.02.2022  
rkd Ct.15

W.P.A. 20254 of 2019  
(IA NO: CAN 1/2021)  
(Through Video Conference)

**Rathindra Kumar Dey**  
-vs-  
**State of West Bengal & Ors.**

Mr. Santipada Pahari

....for the petitioner.

Mr. Tapan Kumar Mukherjee,  
Mr. Shamim Ul Bari

....for the State.

The writ petition as well as connected application being CAN 1/2021 is taken up for hearing in presence of the learned advocates representing the petitioner and the respondent authorities.

Mr. Pahari, learned advocate appears on behalf of the petitioner and submits that the petitioner does not want to proceed with the writ petition as well as the connected application being CAN 1/2021 and in support of the same a letter dated 31<sup>st</sup> January, 2022 which he has received from his client is filed in Court and the same is taken on record.

Respondent authorities are represented by Mr. Mukherjee, learned Additional Government Pleader and submits that meanwhile the writ petitioner has been terminated from his service

upon completion of disciplinary proceeding.

Be that as it may since the writ petitioner does not want to proceed with the present writ petition and the connected application the writ petition and the connected application stand dismissed, interim order, if any stands vacated. However, dismissal of the writ petition on the ground of non-prosecution shall not preclude the writ petitioner from challenging order of termination and taking appropriate steps in accordance with law, if so advised.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**