

29.04.2022.
Court No.13
Item No. 34
pk

W.P.A. No. 19893 of 2012
With
CAN 12243 of 2014
And
CAN 12244 of 2014

Piyali Bhaduri
Versus
State of West Bengal & Ors.

Mr. Samim Ahammed,
Ms. Ambiya Khatun

...For the petitioner.

Mr. Biswajit De,
Ms. Rajlakshmi Ghatak

..For the State

In Re: CAN 12244 of 2014 (Sec.5)

This is an application filed under Section 5 of the Limitation Act, 1963, for condonation of delay of about 169 days in filing the restoration application.

Having heard the learned Advocate appearing on behalf of the respective parties, as also considering the statements made in the said application, I am satisfied with the grounds indicated therein, explaining delay of 169 days in preferring the restoration application.

The application for condonation of delay being CAN 12244 of 2014 is, thus, allowed and disposed of.

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

In Re: CAN 12243 of 2014 (Restoration)

Sufficient grounds are available to explain the absence of the petitioners and/or their Counsel on 01.07.2014.

The said order is recalled and the writ petition is restored to its original file and number.

Accordingly, CAN 12243 of 2014 is disposed of.

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

In Re: W.P.A No. 19893 of 2012

It is submitted by Mr. Samim Ahammed, learned advocate appearing for the petitioner, that the issues in the writ petition are covered under a decision of the Division Bench of this Court in the case of **Chandana Manna @ Chandana Porey Vs. State of West Bengal** in MAT 1569 of 2014 disposed of by judgement and order dated 27.01.2015.

For the reasons already recorded in the aforesaid judgement of the Division Bench, WPA 19893 of 2012 shall stand disposed of.

The directions passed in the said judgement, i.e. Chandana Manna (supra) shall apply to the instant writ petition.

Copy of the judgment of the Division Bench is kept with the record.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

