

09.10.2023
SL No.22
Court No.8
(gc)

FMA 647 of 2015
CAN 1 of 2014 (Old No: CAN 11368 of 2014)

Smt. Suchitra Mukherjee
Vs.
The State of West Bengal & Ors.

1. The parties are not represented nor any accommodation is prayed for on behalf of the parties.
2. The appeal had appeared in the warning list of cases on and from 19th September, 2023 with a clear indication that the said matter shall be transferred to the Regular Bench on 6th October, 2023. The appeal is again listed today in the main cause list. All the parties have sufficient notice about the listing of the matter before the Regular Bench on and from 6th October, 2023.
3. The appeal was filed on 25th November, 2014. The record shows that no attempt has been made to move this appeal after it was filed. No step has been taken to serve notice and prepare paper books. It clearly shows that the appellant is not interested to proceed with the appeal and has virtually abandoned the appeal. However,

we consider the materials on record and the impugned order.

4. It appears that the petitioner could not qualify for the incremental benefit under the 2002 Circular on which reliance has been placed by writ petitioner. The 1995 Circular was withdrawn by a Circular of the year 2000.
5. In view thereof, we do not find any reason to interfere with the order passed by the learned Single Judge.
6. Under such circumstances, the appeal and the application stands dismissed.
7. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)