

Item-44. 17-10-2023

FMA 2133 of 2016
CAN 1 of 2016 (old CAN 10646 of 2016)
(Not supplied)

sg Ct. 8

Nirmalya Kumar Mandal
Versus
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 22-04-2016. 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 have virtually abandoned the appeal.
4. However, we have considered the materials on record and the impugned order passed by the learned Single Judge.
5. We are not inclined to interfere with the findings of the learned Single Judge as the writ petitioner does not require a special consideration.

6. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge. The appeal fails. The appeal and the connected application are, accordingly, dismissed.

(Uday Kumar, J.)

(Soumen Sen, J.)