

03.01.23
Sl-03
Ct.32
(S.R.)

MAT 673 of 2016
with
IA No. CAN 1 of 2016 (Old No. CAN 9026 of 2016)
and
IA No. CAN 2 of 2017 (Old No. CAN 455 of 2017)
and
IA No. CAN 3 of 2017 (Old No. CAN 10407 of 2017)

WBSEDCL & Ors.
v.
Jamiruddin Ahamed

Mr. Srijan Nayak
Ms. Rituparna Maitra ... for the appellants.

Mr. Ekramul Bari
Ms. Tanuja Basak ... for the respondent.

The present appeal has been preferred challenging the order dated 1st March, 2016 passed in a writ petition being WP No.2685 (W) of 2016.

As we have invited Mr. Nayak, learned advocate appearing for the appellants to advance his argument on the merits of the matter, the delay in preferring the present appeal is condoned and the application for condonation of delay being CAN 3 of 2017 (Old No. CAN 10407 of 2017) is disposed of.

Mr. Nayak argues that the impugned order has been passed by the learned Single Judge being oblivious of the fact that no undertaking or declaration was given towards grant of appointment to any family member of the land owners in the Distribution Company.

Mr. Bari, learned advocate appearing for the writ

petitioner/respondent submits that as necessary steps were not taken by the authorities to comply with the order impugned in the present appeal, a fresh writ petition was preferred being WPA 2654 of 2022, *inter alia*, praying for issuance of necessary direction upon the respondents/appellants herein to provide employment to the writ petitioner no.2 in terms of the order impugned in the present appeal. Though, the said writ petition was dismissed for default, a restoration application has already been filed with a copy to Mr. Nayak and the same is still pending.

He submits that in the said writ petition two reports were filed by the appellants herein detailing the steps allegedly taken by the authorities on the basis of the order impugned in the present appeal. The said reports are dated 17th March, 2022 and 7th November, 2022.

Such fact has not been disputed by Mr. Nayak.

Since the appellants herein have already taken steps and have filed two reports in compliance of the order impugned in the present appeal, the present appeal has become infructuous.

In view thereof, the appeal being MAT 673 of 2016 and the connected applications being CAN 1 of 2016 (Old No. CAN 9026 of 2016) and CAN 2 of 2017 (Old No. CAN 455 of 2017) are dismissed.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)