

ML 78
26.07.2023
Ct. No. 15
adeb

W.P.A. 17844 of 2018

Mrinal Debnath
Vs.
The State of West Bengal & Ors.

Mr. Mainak Ganguly
.....for the petitioner

The matter is taken up for consideration pursuant to the order dated 19th June, 2023 when the learned advocate representing the petitioner submits that he has repeatedly tried to contact the petitioner for obtaining instruction but till date no instruction has been provided by the petitioner.

The order passed by the Hon'ble Division Bench on 16th June, 2022 on an intra Court appeal being FMA 499 of 2021 is also taken note of. In the said order dated 16th June, 2022 the Hon'ble Division Bench directed the parties to exchange affidavits prior to hearing of the writ petition by the learned single Judge.

However, it has been submitted by the learned advocate representing the petitioner that a copy of the affidavit-in-opposition affirmed on behalf of Khardah Municipality has been served upon him.

However, due to want of instruction from the petitioner no affidavit-in-reply has been affirmed till date pursuant to the leave granted by the Hon'ble Division Bench vide order dated 16th June, 2022.

In view of aforesaid scenario it appears that petitioner has lost interest.

The writ petition stands dismissed.

Interim order, if any, stands vacated.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)