

FMA 3937 of 2014

Ct-08

**Mafizuddin Ahamed
Vs.
The State of West Bengal & Ors.**

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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 today. The appeal is 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 9.7.2014. 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.

4. In any event, having regard to the fact that the issue involved in the writ petition was covered by the decision rendered in WP 9057(w) of 2014. Learned Single Judge was justified in

dismissing the writ petition.

5. In view of the above, the appeal is accordingly dismissed.

(Uday Kumar,J.)

(Soumen Sen, J.)