

05-09-2023
ct no. 13
sl. no. 19
pk

M. A. T. 1640 of 2023
IA No: CAN 1 of 2023

Avishek Mukherjee
Versus
State of West Bengal and others

Mr. Suddhasatva Banerjee,
Mr. S. E. Huda,
Mr. Shounak Mukhopadhyay,
Mr. Himadri Roy

... for the appellant.

Mr. Debabrata Saha Roy,
Mrs. Pampa De Dhabal,
Mr. Subhankar Das

... for the respondents.

Mr. Asish Kumar Guha.
Mr. Rajendra Chaturvedi

... for the State.

1. The appeal is directed against the order dated 16.08.2023 passed in WPA 9700 of 2022. The order was passed in the absence of the appellant. The appellant was the successful licensee for M R Dealership which was cancelled by the impugned order. The appellant assails the order, inter alia, on the ground that it was passed without hearing him. The appellant could not represent himself in the Court on 16.08.2023 and had not filed affidavit-in-opposition.
2. The appellant may, therefore, apply in the Court for recall of the ex parte order and the Court may decide the matter as it may deem fit and proper.

3. With the aforesaid observations and with the leave reserved to the appellant as indicated hereinabove, MAT 1640 of 2023 is disposed of without any order.
4. CAN 1 of 2023 is also consequently disposed of.
5. There will be no order as to costs.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)