

28.07.2023
Srimanta
Sl. No. 43
Ct. No. 42

IANo.:CAN/1/2023,
CAN/2/2023
in
WPA/20300/2013

Amit Anand
-Vs.-
State of West Bengal & Ors.

Mr. Srijib Chakraborty,
Mr. Aditya Mondal,
Mr. Deeptangshu Kar

...for the petitioner.

Affidavit-of-service filed in Court today be kept with the record.

CRAN/2/2023 is an application for restoration of WP No. 20300 (W) of 2013 by recalling order dated 16th April, 2015. CRAN/1/2023 is another application for condonation of delay in filing the application for restoration of the writ petition.

The application for condonation of delay is taken up for hearing.

I have heard the learned Advocate for the petitioner. I have also perused the averment made by the petitioner in condoning the delay. The reasons shown in the petition by the petitioner appears to be sufficient and accordingly the application under Section 5 of the Limitation Act is allowed. Delay in filing the application for restoration is condoned.

The application for restoration of the writ petition by recalling the order dated 16th April, 2015 is taken up for hearing. I have heard the learned Advocate for the petitioner. Perused the petition. It is found that the learned Advocate for the petitioner was actually prevented from taking step in the said

writ petition on the date of hearing. Accordingly, the application for restoration is allowed. WP No. 20300 (W) of 2013 be restored to its file.

It is submitted by the learned Advocate for the petitioner that the petitioner does not want to proceed with the instant writ petition and he may be permitted to withdraw the instant writ petition without any liberty to file fresh writ petition on the selfsame cause of action.

The prayer of the petitioner is considered. Writ petition is disposed of as withdrawn.

(Bibek Chaudhuri, J.)