

16.10.2023
Item No. 49
Crt.No.22
b.r.

WPA 23165 of 2017
IA No. CAN 1 of 2021, CAN 2 of 2023, CAN 3 of 2023

Smt. Thanda Mahato
-vs-
The State of West Bengal & Ors.

Mr. Santanu Mondal
.... For the petitioner.

Mr. Santanu Mondal, learned advocate, appears
for the petitioner.

None appears for the respondents.

In Re: **IA CAN 3 of 2023**

This is an application for condonation of delay for
about **49 days** in applying for restoration of a writ
petition which was dismissed on **July 18, 2023**.

The delay being marginal and sufficiently being
explained and more so that for procedural laches the
substantive justice should not suffer, the delay stands
condoned.

Accordingly, the **CAN 3 of 2023** stands **allowed**
without any order as to costs.

In Re: **CAN 2 of 2023**

This is an application for restoration of a writ
petition, which was dismissed for default on **July 18,**
2023. The application was taken out on **October 6,**
2023.

In view of the delay being already condoned in CAN 3 of 2023 and sufficient cause being shown as to why the petitioner was prevented not being represented on the day when the writ petition was dismissed for default, the order of dismissal dated **July 18, 2023** **stands recalled.**

The writ petition stands restored to its original file with number.

Accordingly, **CAN 2 of 2023** stands **allowed** without any order as to costs.

Parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)