

Item-38. 06-10-2023

^{sg} Ct. 8

FMA 4570 of 2014

Sushila Sardar

Versus

The State of West Bengal & Ors.

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 27.07.2014. 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 appellants are not interested to proceed with the appeal and have virtually abandoned the appeal.
4. However, we have read the judgement and order under appeal. The order impugned was in addition to an application for recalling of the order dated 22nd April, 2014. The learned Single Judge refused to recall the said order as no cogent explanation was given for not being represented on 22nd April, 2014 when the writ petition was dismissed for default.
5. We do not find any reason to interfere with the order passed by the learned Single Judge.
6. The appeal is, accordingly, dismissed.

(Uday Kumar, J.)

(Soumen Sen, J.)