

06.10.2023
SL No.28
Court No.8
(gc)

FMA 4486 of 2014

**Krishna Das
Vs.
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 13th August, 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. However, we consider the order under appeal.

4. The learned Single Judge considering the nature of the dispute held that the disputed questions of fact raised in the writ petition cannot be conveniently decided in a writ proceeding.
5. Under such circumstances, the appeal stands dismissed.
6. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)