

**Dipan Kumar Singha
Vs.
State of West Bengal & Ors.**

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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 on 6.10.2023. The appeal was appeared on 6.10.2023 and is again listed today. 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 11.9.2015. 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.

4. In view of the fact that the petitioner earlier filed a writ petition for the selfsame relief as sought for in the second writ petition, which was under appeal. Learned Single Judge dismissed the second writ petition as the same

is clearly not maintainable without the first writ petition being withdrawn.

5. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.

6. In view of the above, the appeal is accordingly dismissed.

(Uday Kumar,J.)

(Soumen Sen, J.)

