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06.03.2025
Court No. 25
D.Hira

**WPA 24726 of 2016
With
CAN 2 of 2023**

**Sushanta De & Ors.
Vs.
State of West Bengal & Ors.**

**Mr. Prasanta Kumar Banerjee,
Mr. Purnankar Biswas.
... for the petitioners**

**Mr. Tarun Kumar Ghosh.
... for the State**

The application being CAN 2 of 2023 is filed by the petitioners, seeking recall of this Court's order dated July 28, 2023.

By dint of the said order, the Court has dismissed the writ petition being WPA No. 24726 of 2016 for default.

By filing the present writ petition, the petitioner has stated that the reasons of the petitioners not being represented in Court on the particular day, has been *bona fide* and unintentional and also that the present application is filed within time from the date of knowledge of the petitioners as regards the order of the Court, dismissing the writ petition for default.

Considering the facts as pleaded above by the applicants/writ petitioners, the Court finds to be sufficient and directs to recall of its order dated July 28, 2023 in WPA No. 24726 of 2016 and restore the said writ petition in its original file and number.

CAN 2 of 2023 is allowed and disposed of.

Since this Court does not have the determination to take up Group-V matters and the present one pertains to Group-V matter of the Appellate Side Rules, let the matter be released from the list of this Court and placed before the appropriate Hon'ble Bench.

(Rai Chattopadhyay, J.)