

30.06.2023
Item No.13
Ct. No.5
CHC

W.P.L.R.T. 185 of 2022
IA NO: CAN/1/2023
CAN/2/2023
CAN/3/2023

Sri Sahadeb Bar & ors.
Vs.
The State of West Bengal & ors.

Mr. M. A. Samad,
Mr. Srijit Chatterjee,
Mr. Priyanka Sharma
...for the petitioners

Mr. Chandi Charan De, Ld. A.G.P.
Mr. Anirban Sarkar
...for the State

Mr. A. K. Gayen
...for the respondent nos.9, 12, 13 & 14

In Re: C.A.N. 3 of 2023

C.A.N.3 of 2023 is an application for
condonation of delay in applying for substitution.

For the ends of justice, causes shown are
accepted and sufficient and the abatement stands set
aside.

C.A.N.3 of 2023 is allowed.

In Re: C.A.N. 1 of 2023 and C.A.N.2 of 2023

C.A.N.1 of 2023 and C.A.N.2 of 2023 are
applications for substitution of the deceased
petitioner no.2 and deceased respondents.

C.A.N.1 of 2023 and C.A.N.2 of 2023 are
allowed by permitting the learned advocate-on-record

for the petitioners to incorporate the heirs and legal representatives of the petitioner no.2 and the deceased respondents in the cause-title.

C.A.N.1 of 2023 and C.A.N.2 of 2023 are disposed of accordingly.

The writ petition is directed against an order dated November 3, 2022 passed by the learned Tribunal where, the death of the respondent no.6 and substituted respondent were noted. The writ petitioners were granted opportunity to take appropriate steps. The matter was fixed thereafter on November 28, 2023. There is no cause for the writ petitioners to be aggrieved by the order passed by the learned Tribunal. There is nothing on record to suggest that writ petitioners took appropriate steps for the purpose of substituting the heirs of the deceased respondents. It was the contention that the heirs and legal representatives of the deceased respondents were not known to the writ petitioners then to take steps.

In such circumstances, we find no reason to interfere with the impugned order.

W.P.L.R.T. 185 of 2022 is disposed of.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)