

13-06-2023
Court No.2
bm/23.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 2747 of 2022

**Sunil Barman
Vs.
The Union of India & Ors.**

Mr. Madanlal Pandey
Ms. Sukanya Adhikary
Ms. Ankita Paul
..... for the petitioner

Mr. Sudipto Kumar Mazumdar
.... Learned DSGI
Mr. Ajoy Kumar Singhanian
Mr. Sourab Kar.
.... For Union of India

This is an application challenging the
order dated 27.06.2022.

Heard the learned Counsels for the
parties.

At this stage, the learned Counsel of
the petitioner submits that there are some
incurable defects in the writ petition. Among
other defects, the appellate order passed was
not challenged and instead the original order
dated 04.08.2021 passed by the respondent
no.5 was only challenged. In such
circumstances, the petitioner would like to not
press the application and instead file a fresh

application in proper form on the self same grounds to challenge the appellate order.

On the prayer for the learned Counsel appearing for the petitioner, the writ petition is dismissed as withdrawn.

However, this order shall not preclude the petitioner from challenging the appellate order on the self same grounds.

Urgent Xerox certified copy if applied for, be supplied on priority basis.

(Jay Sengupta, J.)