

03.12.2024  
Item No.8  
Court No.2  
AJ.

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 2003 of 2023**

**I.A. No. CAN 1 of 2024  
CAN 2 of 2024 (Not in the List)**

**Sumit Kar  
-Vs-  
Union of India & Ors.**

Mr. Habibur Rahaman,  
Mr. Debajit Kundu,  
Mr. Archisman Singh.  
...for the petitioner.

Mr. Sudipto Kumar Mazumder, Ld. D.S.G.I.,  
Mr. Ajoy Kumar Singhanian,  
Mr. Suman Kar.  
...for the State.

**In Re: CAN 1 of 2024  
CAN 2 of 2024**

CAN 2 of 2024 is treated to be in the day's list, this is an application for recalling of the order dated December 04, 2023 whereby the writ petition was dismissed for default and CAN 1 of 2024 is an application for condonation of delay.

Perused the applications. The delay has been satisfactorily explained. It appears that the petitioner was prevented by sufficient cause to appear before the Court when the matter was called on for hearing, therefore, the said order is recalled upon condonation of delay.

CAN 1 of 2024 and CAN 2 of 2024 both are allowed, without any order as to costs; consequently, WPA 2003 of 2023 is restored to its original file and number.

**In Re: WPA 2003 of 2023**

Mr. Kundu, learned Advocate for the petitioner prays extension of time to affirm the affidavit-in-reply; such time is extended for a further period **of two weeks from date**; liberty to mention before the available Circuit Bench, after completion of the aforesaid time period.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

**(Biswajit Basu, J.)**