

22.11.2023
M/L Sl No.80
Court No.17
(gc)

**WPA 4016 of 2023
CAN 1 of 2023**

**Dhirendranath Mahato
Vs.
State of West Bengal & Ors.**

Mr. Manisankar Chattopadhyay,
...for the Petitioner.
Mr. Bhaskar Prasad Vaisya,
Mr. Nilay Baran Mandal,
...for the D.P.S.C., Purulia.
Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee,
...for the State.

1. This matter which was dismissed for default on 14.06.2023 came up in the list on 10.08.2023 definitely by mistake of the department. However, the order dated 10.08.2023 is recalled and is to be treated as *non est*.
2. Today, the petitioner has moved an application for restoration of the writ application which was dismissed on 14.06.2023. Sufficient reason has been shown for non-appearance of the learned Advocate on 14.06.2023 on which date the matter was dismissed for default. Therefore, the order of dismissal for default dated 14.06.2023 is recalled and the writ application be placed in its original file and number.

3. Accordingly, the application for restoration being CAN 1 of 2023 is disposed of.
4. I direct the petitioner to add Superintendent of Police of the concerned district as party respondent in course of the day.
5. I direct the Superintendent of Police to file a report in the form of an affidavit after making a thorough enquiry through any of his competent officer/officers as to why the petitioner was absent from the school for seven years from 2003 to 2010. Such report is to be filed before this Court on 25th January, 2024 for further hearing. Copy of the report is to be filed through the learned Advocate of the State in a sealed cover.
6. List this matter on 25th January, 2024 for further hearing.

(Abhijit Gangopadhyay, J.)