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16.08.2024
Court No. 25
D.Hira

**WPA 1894 of 2016
With
CAN 2 of 2024**

**Prasun Das
Vs.
State of West Bengal & Ors.**

**Mr. Tanmoy Mukherjee,
Mr. K. Raihan Ahmed.
... for the petitioner**

**Mr. Pinaki Dhole,
Mr. Avishek Prasad.
... for the State**

On behalf of the applicant/writ petitioner, an application being CAN 2 of 2024 is moved today.

Mr. Tanmoy Mukherjee, learned counsel is appearing for the petitioner and Mr. Pinaki Dhole, learned counsel is representing the State.

By dint of CAN 2 of 2024, the applicant/petitioner has prayed for recalling of this Court's order dated April 22, 2024 whereby the Court has dismissed the writ petition being WPA No. 1894 of 2016 for default.

The reasons as stated in the said petition is due to non-appearance of the learned counsel for the petitioner for some reasons unintentional, bona fide and beyond control.

The applicant/petitioner has prayed for restoration of the writ petition as above in its original file and number.

Considering the reasons as stated in the said application being CAN 2 of 2024 to be sufficient, it is

directed that the previous order of this Court dated April 22, 2024 be recalled.

The writ petition being WPA no. 1894 of 2016 be restored in its original file and number.

Learned counsel appearing for the petitioner, has submitted upon instruction that the petitioner is not interested to proceed with the present case any further. He has handed over to the Court a letter of his client to that effect. Let the same be kept with the record.

Pursuant to the same and considering the submissions made on behalf of the writ petitioner, it appears that there would not be any further issue in this case for adjudication, since the petitioner is not willing to proceed any further.

Hence, the present writ petition is dismissed for non-prosecution.

Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)