

21.03.2025
Sl. No. 06.
D/L.
Mithun
Ct.No.39.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

IA No: CAN 2 of 2024

In

WPA 8795 of 2022

Sukla Dutta Sarkar alias Sukla Dutta

Vs.

The State of West Bengal & Ors.

Mr. Tanmoy Roy

..for the petitioner

Affidavit-of-service filed on behalf of the petitioner
is taken on record.

In re : CAN 2 of 2024

This is an application for restoration of the writ
petition being WPA 8795 of 2022 by recalling order
dated 14th May, 2024.

Mr. Tanmoy Roy, learned Advocate for the
applicant submits that on the date the matter was called
on he was busy in the office of learned Master, Original
Side for incorporating certain corrections in the plaint in
respect of C.S. (Com) No.3 of 2023, filed in the
Commercial Division of the Original Side of this Hon'ble
Court. For such reason, he could not appear before the
Court, resulting in dismissal of the writ petition. He
seeks for restoration of the writ petition upon recalling
the order of dismissal.

Despite service, none appears on behalf of the respondents.

Considering the submissions advanced on behalf of the applicant as well as the averments made in the application, it is found that sufficient cause has been shown to restore the writ petition upon recalling the order of dismissal.

Accordingly, the order of dismissal dated 14th May, 2024 is recalled.

The writ petition being WPA 8795 of 2022 is restored to its original file and number.

The application being **CAN 2 of 2024** stands disposed of.

WPA 8795 of 2022

Learned Advocate for the petitioner seeks leave to file supplementary affidavit.

Leave granted.

Let such supplementary affidavit be filed by the returnable date.

Learned Advocate for the petitioner is directed to serve notice upon the State-respondents intimating the next date of hearing.

List this matter on **8th April, 2025** under the heading "*Motion*".

(Bivas Pattanayak, J.)