

Court No. 17

16.01.2024

(AD 6)

(S. Banerjee)

WPA 13441 of 2023

Hemanta Kumar Mal & Ors.

Vs.

The State of West Bengal & Ors.

Mr. K. M. Hossain

... for the petitioners

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

... for the State

Mr. Saikat Banerjee

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for the DPSC, Howrah

Mr. Shib Sankar Pal who affirmed the affidavit on 17th June, 2023 is personally present with the register which he uses like others for himself for the period from 21.03.2023 to 23.06.2023.

I have seen the relevant page and other pages of the said register and I find that it is really a mistake due to inadvertence. However, the mistake is serious in nature.

Therefore, the said Commissioner of Affidavit may be intimated in writing to be a little careful in future but no proceeding or any adverse step in respect of his service is required to be taken, only a letter of caution is to be issued to him.

Because of the defect of serious nature in the affidavit page of the writ application in paragraph 2, this writ application cannot be considered.

The petitioners want to withdraw the writ application with liberty to file it afresh.

Therefore, the matter is dismissed with liberty to file it afresh. The petitioner should remain careful about affirmation of the petition.

The file containing the report of the Registrar General in this regard dated 15.01.2024 is kept on record.

(Abhijit Gangopadhyay, J.)