

16.01.2024
32
PG/KS
Ct. No.1

R.V.W. 139 of 2023
With
IA No. CAN 1 of 2023
In
W.P.A.(P) 178 of 2023
Shyampada Maity
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Sinha
.....for the review applicant

Mr. Sukdeb Sarkar
.....for the respondent no.3

Mr. L. M. Mahata
Mr. Rudranil De.....for the State

1. This review application has been filed to review the order passed in W.P.A.(P) 178 of 2023 dated 24th April, 2023.
2. Learned advocate appearing for the petitioner would submit that on the date when the order was passed in the writ petition, he could not appear but, however, his name has been recorded in the order dated 24th April, 2023.
3. On going through the order, we find that the writ petition was disposed of on the ground that it cannot be treated as a public interest litigation.
4. Therefore, the appropriate remedy for the review applicant would be to withdraw the writ petition and file an appropriate petition before the appropriate forum, as he may be advised.

5. The learned advocate for the review applicant is agreeable to do so. Accordingly, the review application stands disposed of and the review applicant is permitted to withdraw the writ petition, W.P.A.(P) 178 of 2023 with liberty to file a fresh petition before the appropriate forum in accordance with law.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)