

8.5.2025

sl. 13
sk, ct.25,

WPA 15285 of 2013
(CAN 3/2024, CAN 4/2024)

Nirmal Kani Joddar
vs
State of West Bengal & Ors.

Mr. Gazi Faruqe Hossain
Sk Nizam Uddin
Ms. Varsha Roy
...for the petitioner.
Mr. Susanta Pal
Ms. Ananya Neogi
...for the State

Affidavit of service filed by the petitioner is taken on record.

The writ petition being WPA 15285 of 2013 was dismissed for default by dint of an order dated January 15, 2024.

The applicant/petitioner has come up with a prayer for recalling of that order and restoration of the said writ petition by filing application No. CAN 3 of 2024.

The other application being CAN 4 of 2024 filed by the applicant is for condonation of delay of 27 days in filing CAN 3 of 2024.

Perused both, heard submissions of learned advocate for the petitioner.

The reasons cited by the applicant/petitioner appears to be beyond control and thus substantive and sufficient.

In such view of the fact that the Court is inclined to allow both the applications filed by the applicant/petitioner.

Let the delay of 27 days in filing the application CAN 4 of 2024 be condoned.

Let the order of this Court dated January 15, 2024 be recalled and the writ petition being WPA 15285 of 2013 be restored in its original file and number.

Let this matter be listed immediately under the heading “**Old Hearing Matters**”.

(Rai Chattopadhyay, J.)