

24.2.2025
ct.25, sl. 15
sk

WPA 17692 of 2015

CAN 5 of 2024

Ashutosh Dey & Ors

vs

The State of West Bengal & Ors.

Mr. Manoranjan Jana

....for the petitioners.

Mr. N.C.Bihani, Ld. Sr. Adv.

Ms. M. Moitra

...for the D.S.D.A.

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

Parties are represented.

In Re: CAN 5 of 2024.

CAN 5 of 2024 is an application by the applicant/writ petitioner seeking recall of this Court's earlier order dated February 23, 2024 in WPA 17692 of 2025. By dint of the said order, the Court has dismissed the writ petition as above for default.

Learned advocate appearing for the petitioner has submitted that since due to indisposition of the learned advocate for the petitioner, the petitioner could not have been represented before the Court on the particular day the matter was dismissed for default, for which the petitioner/applicant has no role to contribute and should not suffer.

Having found the grounds pleaded as mentioned above, this Court is inclined to allow the petitioner's prayer in CAN 5 of 2024. Hence, CAN 5 of 2024 is

allowed thereby recalling this Court's earlier order dated February 23, 2024 in WPA 17692 of 2015 and restoring the writ petition as above in its original file and number.

Let the writ petition in WPA 17692 of 2015 appear as "Old Hearing Matters", immediately.

(Rai Chattopadhyay, J.)