

28.02.2024
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PG/KS
Ct. No.1

M.A.T. 1800 of 2023
With
I.A. No.CAN 1 of 2023
With
With
I.A. No.CAN 2 of 2023

Md. Mazahar Ali
Versus
The State of West Bengal & Ors.

Mr. Bikram Banerjee
Mr. Sondwip Sutradhar.....for the appellant

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswasfor the State

In Re: I.A. No. CAN 2 of 2023

1. We have heard Mr. Bikram Banerjee, learned advocate appearing for the appellant and Mr. Pantu Deb Roy, learned Government counsel appearing for the State.
2. There is delay of 20 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that sufficient cause has been shown for not being able to prefer the appeal within the period of limitation.
3. I.A. No. CAN 2 of 2023 is allowed and the delay in filing the appeal is condoned.

In Re:. M.A.T. 1800 of 2023

4. This intra-Court appeal by the one of the writ petitioners is directed against the order dated 25th July, 2023 passed in W.P.A. 15213 of 2023, wherein the writ

petitioners sought for a single agency to investigate into the recruitment scam.

5. The learned Single Bench, in our view, rightly directed the writ petitioners to approach the investigating officer and supply copies of relevant documents that may be necessary for investigation.
6. At this juncture, the question of directing a Central agency to take over the investigation at the instance of the writ petitioner is not possible as the matter is in the advance stage of investigation by various agencies.
7. Hence the appeal along with I.A. No. CAN 1 of 2023 stand dismissed.
8. No costs.
9. 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.)