

04.9. 2024
item No.26
n.b.
ct. no.24

WPA 24540 of 2023

**with
CAN 1 of 2024**

**Suvadip Nandy & Ors.
Vs.
Indian Oil Corporation & Ors.**

Mr. Ramesh Dhara,
Ms. Mousumi Chaudhury,
..... for the petitioners.
Mr. Amit Kumar Nag,
Ms. Pritha Bhaumik,
.... For the IOCL.

In Re. CAN 1 of 2024

Affidavit-of-service filed on behalf of the petitioner is taken on record.

It appears from the affidavit that service upon all the respondents were effected.

The respondent no.1 is represented through learned advocate. Other respondent did not appear.

This is an application for recalling of the order dated August 6, 2024 passed by this Court in WPA 24540 of 2023.

Learned counsel for the petitioner submits that he missed the list and later on he was informed by his clerk that the matter was dismissed

He submits, the matter was dismissed for default due to non-appearance of the learned counsel, there are

no intentional latches on behalf of the petitioner. So, the order for dismissal is required to be recalled.

Heard the learned advocates perused the body of application being CAN 1 of 2024, it appears that the instant application is true and bona fide.

Considering the same, the application being CAN 1 of 2024 is disposed of and allowed. The order of dismissal passed by this Court on 6.8.2024 is hereby recalled and set aside. The writ petition being WPA 24540 of 2023 be hereby restored to its original file and number.

The petitioner is directed to serve the respondents regarding the restoration of the writ petition.

Petitioner is at liberty to mention.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)