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26.02.2024
Ct. No. 15
adeb

W.P.A. 23069 of 2019

IA No. CAN 1/2022

IA No. CAN 2/2022

Sk. Abu Sufian & Ors.

Vs.

Kolkata Municipal Corporation & Ors.

Md. Harun All Rashid

..for the petitioner

Mr. Rajarshi Basu

Mr. K.M. Hossain

...for the State

Mr. Swapan Kumar Debnath

...for the KMC

Affidavit-of-service and notice effected upon the
Kolkata Municipal Corporation is taken on record.

State respondents and the Kolkata Municipal
Corporation are represented by learned advocates.

Two applications one being CAN 1 of 2022 seeking
substitution in view of death of the sole petitioner and
another being CAN 2 of 2022 seeking condonation of
delay in presenting the substitution application are taken
up for consideration.

Both the applications are taken up together and
having been satisfied with the explanation offered in the
applications the application for substitution is allowed
upon condoning the delay in presenting the substitution
application since applicants are major and *sui juris*.

The learned advocate for the applicants is granted
leave to amend the cause title of the writ petition thereby

substitute the applicants in place and stead of the sole petitioner in course of this day.

Application being CAN 1 of 2022 and another being CAN 2 of 2022 are allowed and disposed of.

In Re:- WPA 23069 of 2019

After disposing of the aforesaid applications the learned advocate representing the petitioners submits that they do not want to proceed with the writ petition.

Accordingly, the writ petition is dismissed on the ground of non-prosecution.

Interim order, if any, stands vacated.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)