

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

02 18.8.2025
Sc Ct. no.2

**WPA 26917 OF 2023
with
I.A. No. CAN 1 OF 2024**

Santosh Kumar Das

Vs.

The State of West Bengal & Ors.

Mr. Gobindadas Mitra

.....For the Applicant/
Writ Petitioner

Ms. Poulami Chattopadhyay

.....For the Respondent
Nos. 2 to 5

Re : I.A. No. CAN 1 OF 2024

Mr. Gobindadas Mitra, learned Advocate appears
for the applicant/writ petitioner.

Ms. Poulami Chattopadhyay, learned Advocate
appears for the respondent nos. 2 to 5.

The prayers from the application are quoted below :

*“a) Your Lordship would be pleased to
recall the order passed on 02.07.2024
dismissing the writ application being
W.P.A. 26917 of 2023;
b) And to pass such other order or
orders as Your Lordship may deem fit
and proper.”*

The sole and whole submission made by the
learned Advocate appearing for the applicant/writ
petitioner is that, the writ petition filed by the applicant
was dismissed on the ground of delay and laches by a
coordinate Bench by its order dated **July 2, 2024,**

Annexure-P3 at page 10 to the writ petition but on the selfsame set of facts and on the selfsame issue around a week thereafter the same coordinate Bench had allowed an identical writ petition. Learned Advocate for the petitioner submits that in the said writ petition, which was allowed, subsequently learned Advocate for the WBTCCL (for short the Corporation) has submitted that they were agreeable to pay the interest and, accordingly, that writ petition was allowed.

On the above plea the applicant/writ petitioner prays for recalling of the said order dated ***July 2, 2024*** and submits that, the said writ petition should be allowed.

Ms. Poulomi Chattopadhyay, learned Advocate appearing for the Corporation has opposed this application vehemently. She submits that, neither the alleged order of the coordinate Bench in which an identical writ petition has been allowed nor any document in support of the contention of the applicant/writ petitioner that the Corporation has agreed to pay the interest, are available on record.

Per contra, learned Advocate for the applicant/writ petitioner submits that, the submission was made through virtual mode on behalf of the Corporation.

After considering the rival contentions of the parties and upon perusal of the materials on record it appears to this Court that no supporting material has been disclosed

by the applicant/writ petitioner in the instant application to support his plea for recalling of the order dated **July 2, 2024**.

Inasmuch as, on perusal of the averments made in the application and the submissions made on behalf of the applicant/writ petitioner, it appears to this Court that the instant application is totally **baseless** and **frivolous** one and deserves to be dismissed at the threshold.

In view of the above, this application, **I.A. No. CAN 1 of 2024** stands **dismissed with cost** assessed at **Rs.2000/-** (Rupees two thousand only) to be paid in favour of the benevolent fund, **Bar Association, High Court at Calcutta** positively within a period of **seven days** from date.

(Aniruddha Roy, J.)