

26.04.2024.
Court No.13
Item No. 63
ap

W.P.A. No. 28813 of 2022
With
I.A. No. CAN 1 of 2023
And
I.A. No. CAN 2 of 2023

Roshni Khan
Versus
The State of West Bengal & Ors.

Mr. Ujjal Ray,
Sk. Abdur Rahim.

...For the petitioner.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.

...For the WBBPE.

Mr. Biswabrata Basu Mallick, AGP
Mr. Sayan Ganguly.

...For the State.

Re: CAN 1 of 2023 (Sec.5)

1. This is an application filed under Section 5 of the Limitation Act, 1963 for condonation of delay of about 130 days in filing the restoration application.
2. Having heard the learned Advocate appearing on behalf of the petitioner, as also considering the statements made in the said application, this Court is satisfied with the grounds indicated therein, as sufficiently explaining delay of 130 days in preferring the restoration application.
3. The application for condonation of delay being CAN 1 of 2023 is, thus, allowed and disposed of.
4. There will, however, be no order as to costs.

Re: CAN 2 of 2023 (Restoration)

1. Sufficient grounds are available to explain the absence of the petitioner and/or her Counsel on 26th June, 2023 before a Co-ordinate Bench of this Court.
2. The said order is recalled and the writ petition is restored to its file and number.
3. Accordingly, CAN 2 of 2023 is disposed of.
4. There will be, however, no order as to costs.

Re: W.P.A. No. 28813 of 2022

1. Affidavit-of-service filed in Court today be taken on record.
2. List the matter on **6th May, 2024** under the heading “**Transfer Matters**”.
3. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)