

Court No. 2
08.8.2024
(Item No. 29)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 28791 of 2023

Maa Kali Brick Field
VS
The State of West Bengal & Ors.

Mr. Mir Anowar
.... For the petitioner
Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal
.... For the State
Mr. Sanjay Saha
.... For respondent No. 4

Affidavit of service filed in Court today, is taken on record.

Mr. Mir Anowar, learned advocate appearing for the petitioner submits that, there is an alternative remedy of appeal from the impugned order passed by respondent No. 2 dated **August 26, 2021**, accordingly, the petitioner seeks to withdraw this writ petition and to avail of the said appellate remedy.

Learned State counsel Mr. Priyabrata Batabyal led by Mr. Soumitra Bandyopadhyay, learned counsel appears for the respondent Nos. 1 to 3.

Mr. Sanjay Saha, learned counsel appears for respondent No. 4.

In view of the above, this writ petition W.P.A. **28791 of 2023** stands **dismissed as withdrawn**, without any order as to costs.

The petitioner shall be at liberty to pursue his appellate remedy strictly in accordance with law.

It is made clear that, this Court has not gone into the merits of this writ petition and the petitioner shall be at liberty to take all points before the appellate forum.

Since affidavits are not called for, the allegations made in this writ petition deemed not to have been admitted by the respondents.

(Aniruddha Roy, J.)