

WPCT 308 of 2008

(Abdul Hakim Laskar Vs. GM. Eastern
Railway & Ors.)

[Ref. File CO 11153 (W)/1992]

with

IA No. CAN 2/2018 (Old No. CAN 5243/2018)

and

IA No. CAN 3/2018 (Old No. CAN 5263/2018)

Mr. Lakshinath Bhattacharya

.... For the petitioner

Ms. Chandreyi Alam

Ms. Runu Mukherjee

..... For the respondents

Records reveal that a writ petition, being CO 11153 (W) of 1992 was preferred by the petitioner challenging, *inter alia*, a memo dated 23rd April, 1992 passed by the Director General (RPF). The same was thereafter transferred for hearing before the learned Central Administrative Tribunal. The said matter was re-numbered as T.A. 11 of 2002 and heard by the learned Tribunal. By an order dated 6th July, 2007, the learned Tribunal returned the records of the case to the Hon'ble High Court upon arriving at a finding that it had no jurisdiction to entertain the said application. Challenging the said order dated 6th July, 2007, the petitioner preferred an application being WPCT 308 of 2008. An application for substitution filed in the same was allowed by an order dated 22nd July, 2013.

Records further reveal that a coordinate Bench of this Court heard the application being WPCT 308 of 2008 and passed an order on 28th January, 2009 observing that the

petitioner's case *'has rightly not been entertained by the Tribunal'*.

In the said conspectus of facts and on the prayer of Mr. Bhattacharya, the writ petition, being WPCT 308 of 2008 is de-tagged from C.O. 11153 (W) of 1992 and dismissed as withdrawn.

Registry is directed to record such dismissal of the writ petition being WPCT 308 of 2008.

Mr. Bhattacharya informs us that the writ petition being CO 11153 (W) of 1992 was dismissed for default by an order dated 7th March, 2017 and for recalling the same upon condonation of delay, the petitioner has already filed an application for restoration being CAN 5243 of 2018 along with an application for condonation of delay being CAN 5242 of 2018.

The petitioner would be at liberty to mention the writ petition being CO 11153 (W) of 1992 along with the pending applications before the appropriate Hon'ble Single Bench for hearing.

(Supratim Bhattacharya, J.) (Tapabrata Chakraborty, J.)