

Item No.4
27.6.2024
Court No.19
SD

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

WPA 666 of 2021
With
CAN 1 of 2022

Nur Ali @ Md. Nur Ali @ Nur Ali Md. & Anr.
Vs.
The State of West Bengal & Ors.

Ms. Debasree Dhamali
Mr. Deborshi Dhar

...for the Petitioners.

Mr. Hirak Barman

...for the State.

Mr. Raja Saha
Mr. Sanjay Mukherjee
Ms. Bahnidipa Roy

...for the SJDA.

Mr. Raja Saha, learned advocate for the SJDA files a supplementary affidavit, let it be kept with the record.

In the said supplementary affidavit, a copy of the writ petition being W.P. No.12055 (W) of 2018 has been annexed.

It appears that the said petition has been filed by the petitioners on the selfsame cause of action of the present writ petition for the similar relief, but has suppressed the same.

Ms. Dhamali, learned advocate for the petitioners submits that her clients are praying leave to withdraw the instant writ petition and have tendered unqualified apology for the bona fide mistake in filing it. She files written instruction of her clients to the said effect; let it be kept with the record.

The conduct of the petitioners are highly mala fide, the apology tendered by the petitioners are accepted, subject to the condition that such mistake will not recur in future.

WPA 666 of 2021, and the connected application being CAN 1 of 2022 are dismissed as withdrawn without any order as to costs.

The Department is directed to send the records of the case to the Circuit Bench at Jalpaiguri.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)