

S/L 19
12.08.2024
Court. No. 551
Suwayan

WPA 2778 of 2009

**Sri Kishori Lal Tylsyan & Anr.
Vs.
The General Manager, Eastern Railway & Anr.**

Mr. Indranath Mukherjee

...for the petitioners.

*Mr. Amitava Nayak
Mr. Subrata Santra*

...for the respondents.

1. The affidavit-of-service as filed by the learned Advocate for the petitioners be taken on record.
2. Attention of this Court is drawn by the learned Advocates for the parties to the order dated 04.12.2009 wherefrom it reveal that a supplementary affidavit was filed on behalf of the petitioners on 04.12.2009 and the same was taken on record.
3. On perusal of the entire record such supplementary affidavit as filed on behalf of the writ petitioners cannot be tressed out.
4. In view of such, department is directed to tress out the supplementary affidavit as filed on 04.12.2009 by the petitioners and to tag the same in the instant file.
5. In the event the supplementary affidavit of the writ petitioners is not available department is directed to take up the matter with Mr. Indranath Mukherjee, learned Advocate for the petitioners (Mob. No. 9339782603) for reconstruction of the said supplementary affidavit since Mr. Mukherjee, learned Advocate for the writ petitioners

possesses a copy of the supplementary affidavit as filed on 04.12.2009.

6. At this stage, learned Advocate for the respondents submits before this Court that he possesses a photocopy of the compliance report as affirmed on 14.06.2017 in connection with CPAN 941 of 2010. Learned Advocate for the respondents is permitted to file an authenticated photocopy of compliance report as filed in connection with CPAN 941 of 2010 positively in course of this day after serving a copy of the same to Mr. Mukherjee, learned Advocate for the writ petitioners.

7. It reveals further that affidavits are not yet completed though such direction was given on long back, i.e.; 04.12.2009.

8. In view of such, liberty is given to the respondents to file their affidavit-in-opposition within two weeks hence, affidavit-in-reply within one week thereafter.

1 Let the matter be listed on September 9, 2024 under the heading "Writ Petition".

2 Since all interim applications have been disposed of on 18.07.2024, department is directed not to show the pendency of those interim applications during next listing of the instant case.

(Partha Sarathi Sen, J.)