

24.12.2025
Item No.54
Ct. No.01
RP

MAT 398 of 2023
Namita Giri
Vs.
The State of West Bengal & Ors.

Mr. Gautam Guria
....For Appellant

PER, SUJOY PAUL, ACJ.:

1. None appears for the respondents.
2. The challenge is mounted to the order dated 15.11.2022 passed in WPA No.22667 of 2017.

The short order reads as follows:

*“Despite an accommodation on 28th September 2022 in a matter of the year of 2017, fresh service has not been effected.
In these circumstances, the writ petition shall stand dismissed.
Interim orders, if any, shall stand vacated.
There shall be no order as to costs.
All parties shall act on the server copy of this order duly downloaded from the official website of this Court.”*

3. The order shows that service was not effected and in this backdrop the writ petition was dismissed. In our opinion, in the interest of justice the writ petition deserves to be restored to its original number by reserving liberty to the petitioner to serve the respondents and file

affidavit-of-service within thirty days from receipt of the server copy of this order and thereafter he may press the writ petition for hearing on merit. We order accordingly and set aside impugned order.

4. With the aforesaid observation and without expressing any opinion on merit, the appeal is disposed of.
5. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties.

[SUJOY PAUL, ACJ.]

[AJAY KUMAR GUPTA, J.]