

26.03.2025
Item No.4
Ct. No.01
RP/SM

MAT 330 of 2025

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**IA No.CAN 1 of 2025
CAN 2 of 2025**

**M/S Ambuja Cements Ltd.
Vs.
State of West Bengal & Ors.**

Mr. Ratnanko Banerjee, Sr. Adv.
Mr. Rajarshi Dutta
Mr. Soorjya Ganguli
Ms. Somdutta Bhattacharyya
Mr. Mohit Darg

....For Appellant

Mr. Vimal Kumar Shahi
Mr. SM Samim Ullah

...For State

Mr. T.M. Siddiqui, Sr. Adv.
Mr. Tanoy Chakraborty
Mr. Suddhadeb Adak

....For WBIDCL

1. This appeal is directed against the order dated 20th November, 2024 passed in WPA 9546 of 2019 by which the writ petition was dismissed for default on account of non-appearance on behalf of the writ petitioner.
2. Learned senior advocate appearing for the appellant submitted that already an application, being CAN 3 of 2024 in WPA 9546 of 2019, has been filed by the appellant for recalling the order dated 20.11.2024. In such facts and circumstances, this appeal is not maintainable and the proper course to be adopted by

the appellant is to move the said application before the learned Single Bench.

3. It is submitted by the learned senior advocate for the appellant that the appellant sought for certain incentives which was not granted by the State and a writ petition was filed which was allowed and the said order was affirmed in an intra-Court appeal filed by the State and further affirmed by the Hon'ble Supreme Court and it is the very same writ petition which was dismissed for default.
4. Accordingly, we dispose of the appeal and the connected applications by giving liberty to the appellant to move CAN 3 of 2024 in WPA 9546 of 2019 and the said application be listed before the Hon'ble Single Bench having determination in the week commencing from 7th April, 2025.

[T.S. SIVAGNANAM]
CHIEF JUSTICE

[CHAITALI CHATTERJEE (DAS), J.]