

S/L 7
08.12.2025
Court. No. 25
suwayan

CAN 1 of 2025
With
WPA 7014 of 2024

Archana Das & Ors.
Vs.
Union of India & Ors.

Mr. Nirmalendu Bera
Mr. Gora Chand Samanta

...for the petitioners.

Mr. Swapan Banerjee, AGP
Mr. Manoj Kr. Mondal

...for the State.

1. The affidavit-of-service filed the learned counsel for the petitioners be taken on record.
2. The petitioners have filed the present application being CAN 1 of 2025 praying for recalling of the order dated June 13, 2025 wherein this Court has dismissed the writ petition for default for non-appearance of the writ petitioners when the matter was called.
3. Learned counsel for the petitioners submits that the matter was listed in the combined Monthly List of June, 2025 at serial no. 226 but the petitioners missed to note the case in the cause list and as such when the matter was called the petitioners could not appear before this Court and the matter was dismissed.
4. The petitioners have served the notice to the office of the learned Additional Government Pleader, accordingly, the appearance of Mr. Swapan Banerjee learned Additional Government Pleader along with Mr. Manoj Kr. Mondal, learned advocate is regularized to appear in the matter on behalf of the State.

5. Learned counsel for the respondents/State submits that the petitioners have not shown any reason why the petitioners failed to appear before this Court on the date fixed.
6. Heard the learned counsel for the parties.
7. This Court finds that the petitioners have shown sufficient cause for non-appearance of the petitioners before this Court when the matter is called.
8. Accordingly, the order dated June 13, 2025 is recalled.
9. WPA 7014 of 2024 is restored in its original file.
10. CAN 1 of 2025 is disposed of.
11. With the concerned of both the parties the writ petition filed by the writ petitioners also taken up for hearing.
12. This Court finds that the petitioners have already made a representation to the respondent no. 4 i.e. the District Magistrate, South 24 Parganas and the representation of the petitioners is pending before the respondent no. 4. The petitioners are also relied upon the order passed by the co-ordinate Bench of this Court in WPA 21617 of 2023 dated January 19, 2024 wherein this Court has directed the concerned authority for disposal of the representation. Accordingly, the petitioners pray for the similar order.
13. Learned counsel for the respondents submits that if a direction is passed, the authority will consider the representation and passed a speaking and reasoned order.
14. Considering the submission made by the learned counsel for the respective parties.

15. WPA 7014 of 2024 is disposed of by directing the respondent no. 4 to consider the representation of the petitioners dated January 12, 2024 after giving an opportunity of hearing to the petitioners within a period of eight weeks from the date of receipt of this order.
16. This Court has disposed of the writ petition at the motion stage; this Court has not gone into the merit of the matter. The petitioners are at liberty to raise all the questions before the authorities and the authorities shall liberty to decide all the questions in its own merit without being influenced of the order passed by this Court.
17. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Krishna Rao, J.)