

5
14.5.2025
Ct. No. 8
SB

MAT 402 of 2025
CAN 1 of 2025

Rumpa Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Anubrata Santra
... for the appellant

Ms. Jayjeeta Sinha
Mr. Sandip Mandal ... for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja ... for the W.B.B.S.E.

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
.... W.B.C.S.S.C.

CAN 1 of 2025

1. Affidavit-of-service is taken on record.
2. There is a delay of 57 days in filing the appeal.
3. We are satisfied with the explanation offered for not being able to file the appeal within the period of limitation. The delay of 57 days is condoned.
4. Accordingly, the application for condonation of delay is allowed and disposed of.
5. The appeal arising out of an order dated 17.01.2025 in connection with an application for recalling of an order dated 29.11.2025 whereby the prayer to recall the order dated 17.11.2022 was made. It appears that the writ petition was dismissed as not pressed on the basis of a submission made by the erstwhile advocate-on-record on behalf of the writ petitioner. It was on the basis of such submission the writ was dismissed as not pressed on 17.11.2022. The learned Single

Judge, refused to recall the order on the ground that while allegation was made against erstwhile advocate-on-record without putting the said advocate-on-record on notice.

6. We fully agree with the reason for not recalling the order passed on 17.11.2022. However, this shall not prevent the appellant to file an application for recalling of the order dated 17.11.2022 upon prior service to the erstwhile advocate-on-record.
7. With the aforesaid observations, the appeal is disposed of.

(Soumen Sen, J.)

(Smita Das De, J)