

21.11.2025
Item No.1
Ct. No.1
Saikat
Mukherjee

WPA(P)/212/2025
with
CAN/1/2025

SHUBHANKAR MANDAL
VS.
THE STATE OF WEST BENGAL AND ORS.

Ms. Shraboni Sarkar, Adv.
Ms. Krishna Yadav, Adv.
Ms. Swarnali Halder, Adv.
Ms. U. Habibi, Adv.

...For the Petitioner/Applicant

Mr. Tapan Mukherjee, Sr. Adv./AGP
Mr. Somnath Naskar, Adv.

...For the State

Mr. P.C. Ghosh, Adv.
Mr. Subir Hazra, Adv.

...For Respondent Nos.9,
14-18, 20 & 22

Per, Sujoy Paul, ACJ.:-

In Re: CAN 1 of 2025

1. Affidavit-of-service filed is taken on record.
2. Parties are represented through their respective counsel.
3. The instant application is taken up seeking recalling of the order dated 3rd September, 2025, passed in WPA(P) No.212 of 2025. The singular point raised by the learned counsel for the petitioner is that on 3rd September, 2025, when the matter was taken up, the counsel for petitioner prayed for time to prepare the matter on the aspect of maintainability and this court was kind enough in granting time. However, the order shows that the matter was dismissed on the question of maintainability.

4. Shri Mukherjee and Shri Ghosh, learned counsel for the respondents opposed the prayer.
5. During the course of hearing learned counsel for petitioner fairly submits that she indeed appeared on 3rd September, 2025, and her presence is rightly marked in the order dated 3rd September, 2025, passed in WPA(P) No.212 of 2025. In our opinion, no prayer was made on the said date seeking adjournment to prepare on the question of maintainability.
6. Thus, we find no reason to recall the said order.
7. Accordingly, CAN 1 of 2025 is dismissed.

(SUJOY PAUL, ACJ.)

[SMITA DAS (DE), J.]