

05.12.2025

**DL-04
Ct. No. 236
Srimanta**

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

IA No.:CAN/1/2025

in

WPA/14098/2023

Rup Kumar Bhuinya & Ors.

-Vs.-

The State of West Bengal & Ors.

Mr. Jagannath Ganguly

...for the petitioners.

Ms. Manika Roy,
Ms. Ankita Chowdhury

...for the NHAI.

Re :CAN/1/2025

Mr. Ganguly, Learned Advocate appearing for the petitioners in virtual mode undertakes to file affidavit-of-service in Course of this day.

It is submitted by Mr. Ganguly in virtual mode that the said affidavit-of-service would show that the service in respect of the instant interlocutory application has been effected.

With such assurance, CAN/1/2025 is taken up for hearing. By filing the instant application being CAN/1/2025 the writ petitioners prayed for recalling of the order dated 24.06.2025 whereby WPA/14098/2023 was dismissed for default.

None appears on behalf of the respondent/State.

However, Learned Advocate for the National Highways Authorities of India is present.

On perusal of the writ petition under consideration and after hearing the Learned Advocates for the contending parties, this Court is of the considered view that the writ petitioners are successful in explaining the reason of their absence on 24.06.2025 when the writ petition was called for hearing.

Accordingly, prayer is allowed.

Consequently, the order dated 24.06.2025 is hereby recalled.

Consequently, WPA/14098/2023 is restored to its original file and number.

CAN/1/2025 is, thus, allowed and disposed of.

Re : WPA/14098/2023

Let this matter be listed in the Combined Monthly List of January, 2026 under the heading 'For Hearing'.

(Partha Sarathi Sen, J.)