

N.22Sl
151/CL

WPA 14476 of 2023

26.08.2025
SL-14
Ct.19
(S.R.)

Bholanath Nath
-vs-
The State of West Bengal & Ors.

Mr. Sukumar Ghosh
Mrs. Moumita Ghosh

... for the Petitioner.

Mr. Sadhan Kumar Haldar
Mr. Anirban Sarker

... for the State.

1. At the time of hearing, Mr. Ghosh, learned advocate appearing on behalf of the petitioner submits before this Court that he has instruction to withdraw the instant writ petition since the writ petitioner is pursuing his remedy before a wrong forum.
2. In view of such, WPA 14476 of 2023 stands hereby disposed of as withdrawn.
3. Liberty is given to the writ petitioner to approach the appropriate forum on the self-same cause of action ventilating his grievance.
4. Keeping in mind that the writ petitioner on account of a *bona fide* mistake is pursuing his remedy before a wrong forum, this Court directs that, in the event, an appropriate proceeding is initiated before the appropriate forum over the self-same cause of action by the writ petitioner within thirty working days from today, the said forum shall not consider the period of delay in filing such proceeding.

5. With the aforementioned observations, WPA 14476 of 2023 is disposed of.
6. There shall, however, be no order as to costs.
7. Urgent Photostat certified copy of the order if applied for, be made over to the parties as expeditiously as possible.

(Partha Sarathi Sen, J.)