

30.09.2024
Item No.03
Court No.11
Avijit Mitra

**WP.ST 194 of 2012
with
IA No.CAN 1 of 2023**

In re: An application under Article 226 of the Constitution of India;

And

**Gurudas Roy
- versus -
State of West Bengal & ors.**

Mr. Indrajit Dasgupta,
Ms. Pushpita Bhowmick
...for the petitioner
Mr. Tapan Kumar Mukherjee, Ld. A.G.P.,
Mr. Somnath Naskar
(appointed)
...for the State respondents

Despite service, none appears to represent the State respondents.

We find that Mr. Mukherjee, learned Additional Government Pleader, who usually appears on behalf of the State respondents, is present. We request him to appear in this matter and avail necessary instructions.

Let the engagement of Mr. Mukherjee, along with a junior of his choice, be regularized.

In re : IA No.CAN 1 of 2023

Heard the learned advocates appearing for the parties and perused the averments made in the application for restoration, which contains an explanation justifying the absence of the learned advocate for the petitioner in Court on 22nd August, 2023, when the matter was dismissed for default.

We are of the view that the explanation constitutes sufficient cause, which prevented the petitioner from appearing on 22nd August, 2023, when the matter was dismissed for default. Accordingly, the application, being CAN 1 of 2023, is allowed. The order dated 22nd August, 2023, is recalled, and the writ petition is restored to its original file and number.

List the matter for further consideration in the daily supplementary list of this Court on 26th November, 2024 under the heading 'Returnable Matters (Hearing Tribunal)'.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)