

27.02.2026
Court No.25
D/L No.4
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate side**

WPA 16257 of 2023

with

CAN 3 of 2026

CAN 4 of 2026

**Sri Mihir Chandra Dey @ Mihir Dey & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Lalratan Mandal
Mr. K. Bose

...for the Petitioners

Mr. Santanu Kumar Mitra
Mr. Rana Halder

...for the State

In Re: CAN 4 of 2026

1. The petitioners have filed the present application being CAN 4 of 2026 praying for condoning the delay of 179 days in filing the application being CAN 3 of 2026 for recalling of the order passed by this Court dated 4th August, 2025 wherein, this Court has dismissed the writ application for default for non-appearance of the petitioners at the time of call.
2. This Court finds that sufficient cause has been shown for non-filing the application within stipulated time.
3. Accordingly, delay of 179 days in filing the application for recalling the order dated 4th August, 2025 is condoned.

4. CAN 4 of 2026 is disposed of.

In Re: CAN 3 of 2026

5. The petitioners have filed the present application being CAN 3 of 2026 praying for recalling of the order dated 4th August, 2025 wherein, this Court has dismissed the writ application for default for non-appearance of the petitioners when the matter was called.

6. Learned counsel for the petitioners submits that the learned counsel could not notice the matter in the cause list. Under such, he could not appear before this Court when the matter was called.

7. Heard the learned counsel for the respective parties and perused the application. This Court finds that sufficient cause has been shown for non-appearance of the learned counsel for the petitioners on the date fixed.

8. Accordingly, the order dated 4th August, 2025 is recalled.

9. WPA 16257 of 2023 is restored in its original file.

10. CAN 3 of 2026 is disposed of.

11. Let the writ application be listed on 24th March, 2026 under the heading "New Motion".

(Krishna Rao, J.)