

11 03.04.2025

Ct-08

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**MAT 1453 of 2024**

**with**

**IA No. CAN 1 of 2024**

**Sahajan Sardar & Ors.**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Anindya Sundar Das

Mr. Shaunak Ghosh

Mr. Debpriya Samanta

Ms. Paramita Mondal

Ms. Suva Gayen

Mr. Suman Halder

... For the Appellants

Mr. Mohinoor Rahaman

Mr. Imdadul Biswas

Mr. Iqra Rahaman

... For the Respondent no. 12

Mr. Bhaskar Prasad Vaisya, Ld. AGP

Mr. Sagnik Chatterjee

... For the State

1. Heard the learned advocates appearing for the parties.

2. The appeal is arising out of an order dated 16<sup>th</sup> July, 2024 by which the writ petition was dismissed and the interim order was vacated. Learned Judge seems to have exaggerated by the lethargy conduct on behalf of the writ petitioner in pursuing the writ petition. We read the sentence in the order dated 16<sup>th</sup> July, 2024 ***“the writ petition stands dismissed”*** although it should be that the writ petition stands “dismissed for default”.

3. In view of the above, we dismiss the appeal along with the connected application by directing the

appellant praying for recalling of the said order of the learned Judge on showing sufficient reason.

**(Soumen Sen, J.)**

**(Smita Das De, J.)**