

14.02.2025

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Ct. no.39

ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**C.A.N. 1 of 2025
in
W.P.A. 21108 of 2024**

**Nil Madhab Ghosh & ors.
-Vs-
The State of West Bengal & ors.**

Mr. Biswajit Hazra

... for the applicant-petitioner

Mr. Tanmoy Sett

Mr. Arindam Chandra

Mr. Atish Ghosh

Ms. Antara Dey

... for the respondent no.10

Affidavit of service filed on behalf of the petitioner is
taken on record.

Re : CAN 1 of 2025

This is an application for restoration of the writ
petition by recalling order dated 14th January, 2025.

By order dated 14th January, 2025, the writ petition
being WPA 21108 was dismissed for default.

Mr. Biswajit Hazra, learned Advocate appearing on
behalf of the applicant-petitioner submits that since the
learned Advocate failed to follow the note in the combined
monthly list of January 6, 2025, he could not appear
resulting in dismissal of the writ petition for default. He
seeks for restoration of the writ petition.

Mr. Tanmoy Sett, learned Advocate appearing on behalf of the respondent no.10 leaves the matter to the discretion of the Court.

Considering the submissions advanced on behalf of the petitioner and on going through the averments made in the application, it is found that cause shown is sufficient.

Accordingly, order dated 14th January, 2025 is recalled.

The writ petition being **WPA 21108 of 2024** is restored to its original file and number.

The application being **CAN 1 of 2025** stands disposed of.

Re : W.P.A. 21108 of 2024

Petitioner is directed to serve notice upon the learned Advocate for the State-respondent intimating the next date of hearing.

List this matter on **3rd March, 2025** under the heading '**Returnable Motion**'.

(**Bivas Pattanayak, J.**)