

02.05.2025

DL-16

Ct. No. 33

Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

IA No.:CAN/1/2021, CAN/2/2021
in
WPA 20487 of 2018

Dr. Samir Kumar Nanda
-Vs.-
Union of India & Ors.

Mr. Achintya Kumar Banerjee,
Mr. Jayanta Samanta,
Ms. Indumouli Banerjee

...for the petitioner.

Mr. D. N. Ray,
Mr. Rajesh Kumar Shah,
Mr. Dipanjan Sinha Roy

...for the Union of India.

The learned Advocate representing both the parties are present.

The learned Advocate representing the petitioner submitted to have filed an application being CAN/2/2021 which, inter alia, stated that the instant writ petition was dismissed by a Coordinate Bench of this Court on 14th February, 2019 due to intermittent period of the pandemic. The petitioner could not take steps to file an application for restoration of the instant writ petition. It was further submitted that the petitioner had filed an application before the Central

Administrative Tribunal being the appropriate authority to deal with the disputed question. The learned Advocate representing the petitioner further submitted there had been a delay of more than 500 days in filing the application for restoration. Since the petitioner has already filed an application before the Central Administrative Tribunal the instant writ petition being WP No. 20487 (W) of 2018 be restored to its original file and number, condoning the delay in filing the said application.

Ms. Indumouli Banerjee, learned Advocate has filed a fresh vakalatanama to represent the petitioner after seeking no-objection from the erstwhile Advocate-on-record, Ms. Tanusree Das on 28.04.2025. The learned Advocate representing the petitioner has further submitted under instruction on behalf of the petitioner stating his unwillingness to proceed with the instant writ petition. Let the written instruction be kept on record.

Under such circumstances, the instant writ petition is dismissed for non-prosecution.

(Ananya Bandyopadhyay, J.)