

17.04.2026
Item No.10
Ct. No. 1
RP

MAT 1653 of 2025
+
IA No.CAN 4 of 2026, CAN 5 of 2026, CAN 6 of 2026
CAN 7 of 2026, CAN 8 of 2026, CAN 9 of 2026

Mr. Partha Dan
Vs.
The State of West Bengal & Ors.

Mr. Partha Dan
.... Appellant appearing in person
Mr. Debanjan Mukherjee
.... For CESC
Mr. Biswajit Mukherjee
Mrs. Sima Chakraborty
.... For KMC

Dictated by SUJOY PAUL, CJ.:-

1. The petitioner is present in person.
2. The application, being CAN 4 of 2026, seeking recall of the order dated 17.12.2025 is taken up.
3. The petitioner submits that he had not instructed his previous counsel to withdraw MAT 1653 of 2025 and the said counsel made an incorrect statement. The petitioner is very much interested to prosecute the said MAT 1653 of 2025 and the said MAT 1653 of 2025 may be

restored to its original file and number for further consideration.

4. Learned counsels for the respondent /CESC and the respondent/KMC opposed the prayer for restoration of the appeal and urged that copies of certain other pending applications have not been supplied to them.
5. So far as CAN 4 of 2026 is concerned, it is solely filed on the ground that the previous counsel withdrew the appeal on 17.12.2025 without there being any instruction on behalf of the present appellant. We find substance in the argument of the appellant that without his instruction the appeal could not have been withdrawn. Thus, we deem it proper to allow CAN 4 of 2026 and restore MAT 1653 of 2025 to its original file and number. We order accordingly.
6. So far as CAN 5 of 2026, CAN 6 of 2026, CAN 7 of 2026, CAN 8 of 2026 and CAN 9 of 2026 are concerned, the applications

are disposed of with liberty to the appellant/petitioner to file appropriate applications in pending MAT 1653 of 2025 if the same are necessary and maintainable.

7. With the aforesaid, the application, being CAN 4 of 2026, is allowed and other applications, being CAN 5 of 2026, CAN 6 of 2026, CAN 7 of 2026, CAN 8 of 2026 and CAN 9, are disposed of.
8. Let the appeal be listed on 6th May, 2026 under the heading “Motion”.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)