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06.05.2025
Court No. 25
D.Hira

**WPA 26806 of 2022
With
CAN 1 of 2025
With
CAN 2 of 2025
With
CAN 3 of 2025**

**Tamanna Parvin
Vs.
State of West Bengal & Ors.**

**Mr. Kamalesh Bhattacharyya,
Mr. Surajit Basu.
... for the petitioner**

**Mr. Joydip Basu.
... for the respondent
Nos. 6 and 7**

**Mr. Pinaki Dhole,
Mr. Avishek Prasad.
... for the State**

**Mr. Kazi Sajjad Alam,
Ms. Afsana Khatun,
Mr. Mainul Thander.
... for the private respondent**

CAN 2 of 2025 and CAN 3 of 2025 are the two applications filed by the applicant/writ petitioner, firstly to seek restoration of this Court's order dated January 24, 2025, thereby dismissing the writ petition being WPA No. 26806 of 2022 for default.

The other application is for seeking condonation of delay of eight (8) days in filing CAN 2 of 2025.

Mr. Bhattacharyya, learned counsel appearing for the petitioner submits that the reasons as described by the applicant in the said applications for not being able to be represented at the time of hearing before the Court, is

due to unintentional inadvertent mistake in following up the Court's cause list by the learned conducting advocate.

The said reasons having been found as substantive. It is found proper that the prayer of the applicant/writ petitioner in the applications as above be allowed.

Hence, CAN 2 of 2025 is allowed thereby condoning delay of eight days in filing CAN 1 of 2025.

CAN 1 of 2025 is also allowed thereby recalling the order of the Court dated January 24, 2025 and restoring the writ petition being WPA No. 26806 of 2022 in its original file and number.

Mr. Bhattacharyya, learned counsel for the applicant/petitioner at this stage has sought for that the interim order as was prevalent before the date of the order dismissing the writ petition for default, that is, January 24, 2025 may be restored.

Mr. Dhole, learned counsel for the State has informed that he has no instructions as regards the same.

It is directed that the interim order as was prevalent on the date of dismissal of the writ petition for default that is, January 24, 2025 be restored, however, subject to the further submissions on behalf of the respondent and order of this Court after Mr. Dhole, and other respondents obtain necessary instruction in this regard.

The present petition is otherwise at the stage of hearing after conclusion of pleadings by the parties.

Let the matter appear one week after vacation under the heading “Adjourned Hearing”.

(Rai Chattopadhyay, J.)