

25.09.2024
Item No.09
Court No.11
Avijit Mitra

**WP.ST 397 of 2013
with
IA No.CAN 1 of 2024
with
IA No.CAN 2 of 2024**

In re: An application under Article 226 of the Constitution of India;

And

**Swadesh Mukherjee
- versus -
State of West Bengal & ors.**

Mr. Sayak Konar

...for the petitioner

Mr. Sirsanya Bandyopadhyay,

Mr. Debopriyo Karan

...for the State respondents

Heard the learned advocates representing the parties and perused the averments made in the applications for restoration and condonation of delay. We are satisfied with the explanation provided towards the delay in filing the application for restoration and the absence of the learned advocate for the petitioner on July 25, 2023, when the writ petition was dismissed for default.

In view thereof, the delay in preferring the application for restoration is condoned, and the application for restoration is allowed. The order dated 25th July, 2023, is recalled, and the writ petition is restored to its original file and number.

Accordingly, the applications being IA No.CAN 1 of 2024 and IA No.CAN 2 of 2024 are disposed of.

Mr. Karan, learned advocate appearing for the State respondents files the affidavit-in-opposition. Let the same be kept on record.

The learned advocate appearing for the petitioner prays for leave to file the affidavit-in-reply. Such prayer is considered and allowed.

Let the affidavit-in-reply be filed within two weeks after the vacation.

List the matter for final hearing in the combined monthly list of December, 2024.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)