

05
04.10.2024
Ct. No. 11
Jayanta

**WP.ST 430 of 2013
with
CAN 1 of 2024 [restoration]
with
CAN 2 of 2024 [section 5]**

**Prasenjit Banerjee
Vs
State of West Bengal & Ors.**

Mr. Shamim-Ul-Bari
Mr. Raju Mondal

.....For the Appellant.

Mr. K. M. Hossain

.....For the Respondent nos 4 & 5.

Ms. Sonal Sinha
Mr. Avishek Prasad

.....For the State/Respondent.

Record reveals that an application being CAN 1 of 2024 has been preferred praying for recalling of the order dated 26th July, 2023 by which the writ petition was dismissed for default along with an application for condonation of delay being CAN 2 of 2024.

Upon hearing the learned advocates appearing for the respective parties and considering the averments made in the applications, we are satisfied with the explanation given towards the delay in preferring the restoration application and towards the absence of the learned advocate of the petitioner before the Court on 26th July, 2023 when the writ petition was dismissed for default.

Accordingly, the delay towards filing of the restoration application is condoned and the order dated

26th July, 2023 is recalled. The writ petition being WP.ST 430 of 2013 is restored to its original file and number.

The application being CAN 1 of 2024 and CAN 2 of 2024 are, accordingly, disposed of.

We have been informed that the pleadings exchanged by the parties before the learned Tribunal have been annexed to the present writ petition.

In view thereof, list the writ petition for final hearing in the combined monthly list of December, 2024.

(Biswaroop Chowdhury,J.) (Tapabrata Chakraborty,J.)