

17.06.2025
Ct. 1
D/L 07
ab

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

MAT 21 of 2025

**Safikul Khandokar
-Vs-
The State of West Bengal & Ors.**

Mr. Subhasish Misra,
Mr. Satyajit Paul
... for the appellant

Ms. Bedashruti Bose,
Mr. Sumit Kumar
... for the State/respondents

This appeal arises out of a judgment and order dated 29th January, 2025 whereby the appellant's writ petition being WPA 72 of 2025 was dismissed by a learned Single Judge of this Court. By an order dated 8th April, 2025, a coordinate Bench of this Court after prima facie consideration of the appeal found that there was no scope of passing any interim order, the appeal is required to be heard and as such, directed the applicant to prepare the informal paper books within a fortnight from that date i.e., by 22nd April, 2025. No paper book has been prepared and filed as directed. On 13th May, 2025, time to file in formal paper books was extended upon payment of costs assessed at Rs.5,000/- payable to the Jalpaiguri Circuit Bench, High Court, Legal Services Authority. No cost has yet been paid.

On 09.06.2025, when the matter was called on, learned Advocate Mr. Debtorshi Dhar, who represented the appellant, submitted that he has given no objection and he is no more appearing in this matter. On 16th June, 2025 Mr. Satyajit Paul, learned Advocate appeared and submitted that he has the instruction to appear on behalf of the appellant. Today, Mr. Subhasish Misra, learned Advocate appears and submits that he will be representing the appellant. He has not filed his Vokatnama but says that the same will be filed by 18th June, 2025. The conduct of the appellant is regretted. Despite opportunities being given, the appellant has not availed the same for proceeding with the appeal. Informal paper books have not been prepared and the cost has not yet been deposited.

In the aforesaid facts and circumstances, it is explicit that the appellant is not interested to prosecute the appeal and is only delaying the hearing of the same on one pretext or the other. The appeal being MAT 21 of 2025 stands dismissed not only for the conduct of the appellant but as we find no infirmity in the order impugned after considering the materials on record.

(Arindam Mukherjee, J.)

(Partha Sarathi Chatterjee, J.)