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17.12.2025
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A 1030 of 2025

**M/s. Joardar & Joardar
-versus
Union of India & Ors.**

**Mr. Dhiraj Lakhota,
Ms. Radhika Agawal,
Ms. Meghana Joshi,
Ms. Khushi Kundu.
...For the Petitioner.**

**Mr. Ratan Banik,
Mr. Bishwa Raj Agarwal.
...For the Respondents.**

1. The petitioner is aggrieved by the adjudication order passed by the authority on 29th September, 2023.

2. Learned advocate representing the petitioner submits, upon instruction that, due to wrong legal advice the petitioner could not approach the statutory appellate forum within the stipulated time period.

3. The instant writ petition has been filed on 25th April, 2025.

4. Submission is that the petitioner ought not to suffer due to any mistake or error on the part of its authorized representative who is a learned advocate.

5. The Court is of the opinion that the petitioner ought to approach the statutory appellate forum disclosing the ground of delay and the reason for not filing the appeal within the statutory time period.

6. It will be open for the appellate authority to adjudicate the matter in accordance with law keeping in mind the principle that a litigant ought not to suffer due

to any error and/or lapse on the part of his learned advocate.

7. In the event the petitioner approaches the statutory forum by 24th December, 2025, then the appellate authority will proceed to consider the petitioner's application seeking condonation of delay in light of the observations made hereinabove.

8. It is made clear that the Court has not entered into the merits of the adjudication order and it will be open for the appellate forum to decide the same on merits.

9. The writ petition stands disposed of.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)