

S/L 4
04.11.2025
Court No.1
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION

MAT 62 of 2025
With
CAN 1 of 2025
DLX Limited & Anr.
Vs.
State of West Bengal & Ors.

Mr. Jishnu Saha, Sr. Adv. (VC)
Mr. Sarathi Das Gupta
Mr. Pratik Ghosh
Mr. Debajit Kundu

...for the Appellant.

Mr. Joyjit Choudhury, Ld. AAG
Mr. Nabankur Paul

...for the State.

The instant intra court appeal is directed against the judgment and order dated July 10, 2025 passed in WPA 772 of 2022.

The learned Single Judge by the order impugned has considered the writ petition on merit, but ultimately dismissed it for default.

The non-appearance of the petitioners may result in dismissal of the matter for default but after consideration on merit dismissal of it for default, is not warranted, therefore, the order impugned is set aside.

WPA 772 of 2022 is restored to its original file and number.

The writ petition be decided on merit.

Mr. Joyjit Chowdhury, learned AAG submits that his junior Mr. Nabankur Paul, learned advocate is representing all the respondents and the affidavit-in-opposition to the writ petition is ready and would be filed in the department within two days from date.

The writ petitioners are at liberty to affirm affidavit-in-reply to the said affidavit within a period of two weeks from the date of service of copy of it.

MAT 62 of 2025 and the application being CAN 1 of 2025 thereto are disposed of, with the above terms.

There shall be no order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

(Ajay Kumar Gupta, J.)

(Biswajit Basu, J.)