

**Item no. 31
19.08.2025
Ct. 02
sayandeep**

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1744 of 2025

**Sri Madan Kr. Agarwal & ors.
versus
Siliguri Municipal Corporation & Ors.**

**Mr. Saptangsu Basu
Mr. Rajat Das
Ms. Anumita Lahiri
... for the petitioners.
Mr. Bijoy Bikram Das
Mr. Deborshi Dhar
.....for the State**

1. Having heard the learned advocates for the petitioners and considering the materials on record it reveals that after the instant writ petition was affirmed, the advocate-on-record for the petitioners had incorporated an additional party as respondent No. 6 in the petition. The same was done without the knowledge of the Oath Commissioner. Thereafter the petition was filed. When the aforesaid fact came to the notice of this Court upon a query from this Court that the learned advocate-on-record of the petitioners, namely, Ms. Anumita Lahiri has confirmed that she had incorporated the name of an additional party after the writ petition had been affirmed.

It is unfortunate to say the least that an advocate of this Court would act in such a fashion.

2. Ordinarily, I would have, having regard to the above issued appropriate directions, however, at this stage, since Ms. Lahiri would submit that this is an unintentional error and she overlooked the fact that by the time the name of the additional party was incorporated, the petition had been affirmed, and further noting her unconditional apology, and on an expressed undertaking by the learned advocate that this shall not be repeated in future, the writ petition stands dismissed without any order as to costs.
3. Since the petitioner was not at fault, leave is granted to the petitioner to file a writ petition afresh on the self-same cause of action.

(Raja Basu Chowdhruy, J.)