

27.04.2026
Sl. No.3(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**W.P.A. No. 710 of 2019
with
CAN 1 of 2024
with
CAN 2 of 2024**

**Sri Pulak Banerjee & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Mukherjee,
Mr. Mrinmay Nandy,
Ms. Debjani Chakraborty
...for the Petitioners/Applicants.

Mr. Bhaskar Prasad Vaisya,
Mr. Pinaki Bhattacharyya
...for the DPSC, North 24-Parganas.

Mr. Supriyo Chattopadhyay,
Mr. Gourav Das
...for the State.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury,
Ms. Soumoyadipa Kanu
...for the WBBPE.

Re: **CAN 1 of 2024 with CAN 2 of 2024**

1. These applications are filed seeking for restoration of the writ petition upon condonation of delay.
2. The writ petition was dismissed for default on 2nd July, 2024.
3. The applications for restoration of the writ petition upon condonation of delay were filed on 19th September, 2024.
4. As per contention of the applicant, there is a delay of 79 days in filing the applications for restoration.

5. Mr. Sabyasachi Mukherjee, learned Advocate for the petitioners/applicants submits that there is delay of 79 days in filing the application for restoration of the writ petition. Due to financial hardship, the restoration application could not be filed by the petitioners/applicants within the prescribed period of limitation. He seeks for restoration of the writ petition upon condonation of delay.
6. Mr. Gourav Das, learned Advocate for the State leaves the matter to the discretion of the Court.
7. Upon going through the averments made in the application it is found that sufficient cause has been shown to restore the writ petition upon condonation of delay.
8. Accordingly, order of dismissal dated 2nd July, 2024 is recalled upon condonation of delay.
9. The writ petition being **WPA 710 of 2019** is restored to its original file and number.
10. The applications being **CAN 1 of 2024** and **CAN 2 of 2024** stand disposed of.

Re: **WPA 710 of 2019**

11. Mr. Sabyasachi Mukherjee, learned Advocate for the petitioners submits that the prayers as sought for by the petitioners require to be canvassed before the civil court. He seeks for withdrawal of the writ petition with liberty to approach the proper court having jurisdiction.

12. In view of the above, the writ petition being WPA 710 of 2019 stands dismissed as withdrawn.
13. However, it is left open to the petitioners to pursue their grievance before the appropriate forum.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)