

Sl.5
16.02.2026
Court No.19
BP

WPA 2029 of 2026

Ashoke Chowdhury alias Asok Choudhury
-versus-
The State of West Bengal and others

Mr. Falguni Bandyopadhyay
Ms. Riya Ballav
Mr. Tamal Mukhopadhyay
..for the petitioner

Mr. Lalit Mohan Mahata, Ld. Addl. Govt. Pleader
Mr. Rudranil De
..for the State

When this matter is taken up for hearing Mr. Mahata, learned Additional Government Pleader raises an issue as to the maintainability of this writ petition. He submits that the writ petitioner has challenged the order dated 4th January, 1989 passed by the Deputy Refugee Rehabilitation Commissioner, West Bengal. He submits that such order was challenged by the petitioner in a writ petition which was initially registered as C.O./C.R. No. 2866(W) of 1989 and subsequently renumbered as WPA 2866 of 1989 and the same stood dismissed for default on 18th April, 2002. Mr. Mahata submits that a fresh writ petition challenging the self same order is not maintainable.

Faced with such situation, the learned advocate appearing for the petitioner submits that this writ petition was filed as the records of the earlier writ petition is not traceable. He further submits that he has also filed an application for reconstruction of the records of WPA 2866 of 1989.

After some argument the learned advocate appearing for the petitioner prays for leave to withdraw this writ petition with liberty to take steps for reconstruction of the records of the earlier writ petition and to move the same.

Such submission is not opposed by Mr. Mahata, learned Additional Government Pleader.

In the light of the submissions made by the learned advocates for the respective parties, WPA 2029 of 2026 stands dismissed as withdrawn with liberty as sought for by the learned advocate for the petitioner.

(Hiranmay Bhattacharyya, J.)