

MAT/200/2026

**BIREN TUDU
VS.
STATE OF WEST BENGAL AND ORS.**

Ms. Pampa Dey (Dhabal), Adv.

Mr. Pritam Sarkar, Adv.

...For the Appellant

Mr. Tapan Kr. Mukherjee, Sr. Adv./A.G.P.

Mr. Pinaki Dhole, Adv.

Mr. Somnath Naskar, Adv.

...For the Respondent No.1

Mr. Victor Chatterjee, Adv.

...For the Respondent No.2

Mr. Debjit Mukherjee, Adv.

...For the Respondent No.3

Mr. Subhenbdu Sen Gupta, Adv.

...For the Respondent Nos.6-8

Dictated by **Sujoy Paul, CJ.**

1. Ms. Dey (Dhabal), learned counsel for the appellant submits that in view of certain new documents received by her under the RTI Act, 2005, she may be permitted to withdraw this intra-court appeal with the liberty to file review petition seeking review of order passed in WPA 28691 of 2025 on 27th January, 2026.
2. Learned counsel for Respondent No.3/District Judge raises objection for withdrawal of intra-court appeal.

3. We find no reason to disallow withdrawal of appeal with the liberty to file review. More so, when we have not expressed any opinion on tenability of such review.
4. The appeal is **dismissed as withdrawn with the liberty prayed for.**
5. However, this Court has not expressed any opinion on merits and on tenability of said review petition.
6. The certified copy of the impugned order of learned Single Judge be returned by the department to the learned counsel for appellant on supplying photocopy of the same.
7. No order as to costs.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)