

Ct.No.1 D/L 26.02.2026
08
Saikat
Mukherjee

FMA/808/2022
with
IA NO: CAN/1/2022

ANSAR ALI MONDAL
VS.
STATE OF WEST BENGAL AND ORS.

Mr. Kamalesh Chandra Saha, Adv.
Ms. Payel Mitra, Adv.
Mr. Anurag Bose, Adv.

...For the Appellant

Mr. Pantu Deb Roy, A.G.P.
Mr. Subrata Guha Biswas, Adv.

...For the Respondent-State

Per, **Partha Sarathi Sen, J.**

1. Parties are represented by their respective learned advocates.
2. At the time of hearing, learned advocate appearing on behalf of the appellant/writ petitioner draws our attention to the order impugned dated 29th March, 2022. It is submitted on behalf of the appellant/writ petitioner that from the second page of the said order impugned it would reveal that as per the submission of the learned advocate for the writ petitioner/appellant though learned Single Bench allowed the prayer of the writ petitioner/appellant for withdrawal of the said writ petition and thus disposed of the said writ petition as not pressed, even then a cost of Rs.5100 is imposed upon the appellant/writ petitioner.

3. Learned advocate for the appellant/writ petitioner further submits before this court that an order may be passed for revoking the cost as imposed by the learned Single Bench.
4. Learned advocate for the Respondent-State, however, supports the impugned order.
5. We have meticulously gone through the entire order impugned and we have given our anxious consideration over the submissions of the learned advocates for the contending parties. We have noticed that by the impugned order learned Single Bench allowed the prayer of the writ petitioner for withdrawal of the said writ petition.
6. Thus, in our view, the imposition of cost upon the writ petitioner is bit harsh. In view of such, while disposing the instant appeal we hereby quash the cost as imposed upon the writ petitioner by the learned Single Bench in its impugned order dated 29th March, 2022.
7. With the aforementioned direction, the instant appeal is **disposed of**.
8. Pending interlocutory application(s), if there be any, also stands **disposed of**.

(SUJOY PAUL, C.J.)

(PARTHA SARATHI SEN, J.)