

7.
(DL)

20.02.2026
Ct. No. 05
(ARPAN)

IN THE HIGH COURT AT CALCUTTA
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 985 OF 2021
With
CAN 3 OF 2024
CAN 4 OF 2024

SUSHIL SARKAR
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Hirak Barman, Adv. ...for the State

IN RE: CAN 3 OF 2024 & CAN 4 OF 2024

1. Applications being CAN 3 of 2024 is for recall of the order dated 10th July, 2024 passed by a Co-ordinate Bench and CAN 4 of 2024 seeking condonation of delay in presenting recalling application, are taken up for consideration.
2. Though *vide* order dated 10th July, 2024 of the Co-ordinate Bench both the previous applications being CAN 1 of 2022 and CAN 2 of 2022 were dismissed but it needs to be recorded herein that application being CAN 1 of 2022 seeking condonation of delay in presenting recalling application being CAN 2 of 2022 was allowed *vide* order dated 8th February, 2023 passed by Hon'ble Justice Bibek Chaudhuri.

3. Further, *vide* order dated 10th July, 2024 Hon'ble Justice Tirthankar Ghosh dismissed application for recall of the order dated 22nd September, 2021 being CAN 2 of 2022. As a result whereof today writ petition is being treated as dismissed for default in terms of the order dated 22nd September, 2021.
4. Subsequently, CAN 3 of 2024 praying for recall of the order dated 10th July, 2024 and CAN 4 of 2024 praying for condonation of delay in presenting CAN 3 of 2024 were filed, which are on board today.
5. Applications were taken up for consideration on 18th February, 2026 when prayer was made on behalf of the applicant for adjournment and same was allowed thereby directing the applications to appear on 19th February, 2026. *Vide* order dated 18th February, 2026 it was made clear that no further adjournment shall be granted.
6. Applications were called on 19th February, 2026 when no one appeared. Today same situation prevails.
7. However, State respondents are represented by learned advocate.

8. It appears that applicant has lost interest. Both the applications being CAN 3 of 2024 and CAN 4 of 2024 stand dismissed.
9. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)