

(2018) 04 CAL CK 0078

In the Calcutta High Court

Case No : W.P.C.R. 2 (W) of 2018 In W.P. 9327 (W) of 2017

DULAL CHANDRA GHOSH @ DULAL GHOSH & ANR.

APPELLANT

Vs

STATE OF WEST BENGAL & ORS.

RESPONDENT

Date of Decision : 11-04-2018

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2018) 04 CAL CK 0078

Hon'ble Judges : PROTIK PRAKASH BANERJEE, J

Bench : Single Bench

Judgement

This matter has appeared at the instance of the Court because of some inadvertent errors having crept into the order dated February 6, 2018, which

are apparent from the face of the record.Â The matter was taken up at first call.Â None has appeared for any of the parties. Because the learned

Special Officer appointed in the matter is a learned advocate, perhaps he too could not appear due to continuing refusal of the learned members of the

Bar to participate in the judicial proceedings.

However, this Court is not and cannot be complicit in such a course of action adopted by the learned members of the Bar.Â Accordingly, in the

interest of justice, the matter is taken up in the absence of the parties.

I have seen the note which has been submitted by the registry under signature of the learned Deputy Registrar (Writ) dated April 10, 2018, the learned

advocates for the petitioners have complied with the requirements and deposited the requisites and also eight copies of written notice forms along with

copies of all orders.Â Accordingly, the returnable date and the date for showing cause to the Rule issued by me on the earlier date are extended till

June 6, 2018.

So far as the correction is concerned, in the 4th page of the order dated February 6, 2018 in the second paragraph by my mistake I had directed the

Superintendent of Police, Howrah, to give all assistance to the learned Special Officer.Â However, the concerned superior officer of the police is not

of Howrah but of Hooghly.Â Accordingly, the said part of the order dated February 6, 2018 is hereby corrected in exercise of my plenary powers

while sitting as a writ court under Article 226 of the Constitution of India to remove such error apparent on the face of the record, which has crept

into the records by substituting the said second paragraph of page 4 of my said order with the following - â??the Superintendent of Police, Hooghly is

directed to give all assistance to the learned Special Officer to carry out his work by deputing armed police personnelâ? - on written request being

made in this behalf by the learned Special Officer.Â The time to complete the work entrusted to the learned Special Officer and to file a report is

extended by one month from date.Â I make it clear that such report may be filed in sealed cover before the learned Registrar (Administration), who

shall thereafter place it before this Court with a note and that shall be construed to be sufficient compliance of the requirement to file report.

Since the parties and the learned Special Officer have not appeared, the learned Registrar (Administration) is requested to communicate the present

order in its entirety to the parties, the learned Special Officer and to the appearing learned advocates (on the last occasion) through service on the

General Secretary, Bar Association, High Court at Calcutta at its Committee/Office Room within 4 clear days from receiving copy of this present

order from the office of this Court.

Matter shall be listed after service of the Rule is complete.