

18-06.2019
Court No.3
Sh/10.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 94 of 2019

Sunil Kumar Barman. . . Petitioner.
Vs.
Union of India & Ors. .Respondents.

Mr. Bikramaditya Ghosh.
. . .For the Petitioner.
Mr. Rajat Chakraborti.
.. For the respondent nos.1-4.
Mr. Rajdeep Biswas.
. . For the respondent no.1.

Affidavit of service filed today in Court be taken on record.

The petitioner has approached this Court praying for consideration of his representations dated 8th April, 2019 for one time settlement.

Learned advocate appearing on behalf of the Bank submits that similar writ petitions were filed by the writ petitioner on earlier occasion being WP No. 28149(W) of 2017 and WP No. 7233(W) of 2018. WP 28149 (W) of 2017 was disposed of by an order dated December, 14, 2017, by recording that since the bank has not decided on the proposal for settlement, no further interference is called for. The other writ petition being WP 7233 (W) of 2018 was dismissed by an order dated June 12, 2018 on the ground that the issue involved in the said writ petition was the subject matter of the earlier writ petition being WP 28149 (W)

of 2017. It was further recorded in the said order dated 12th June, 2018 that a proceeding before the Appellate Tribunal is pending and the order passed in the said proceeding has also not been complied with by the petitioner.

This is a 3rd round of litigation on the self-same cause of action. As such, the instant writ petition is not maintainable and the same is dismissed without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(HIRANMAY BHATTACHARYYA, J.)