

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

IA NO. GA/1/2021
WPO NO.397 OF 2020
SAI SULPHONATES PVT. LTD. & ANR.
Versus
THE STATE OF WEST BENGAL & ORS.

AND

IA NO. GA/1/2021
WPO NO.399 OF 2020
SAI SULPHONATES PVT. LTD. & ANR.
Versus
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 11th March , 2021

Appearance :

Mr. Arijit Chakraborti,
Mr. Nilotpal Chowdhury,
Mr. Prabir Bera, Advs.,
for the petitioner.

Mr. Samrat Sen, Sr. Adv.,
Mr. Paritosh Sinha,
Ms. Manali Ali, Adv.,
for the respondent nos. 1 to 3.

Mr. T.M. Siddiqui, Adv.,
for the respondent no.4.

The Court : The two writ petitions are moved alleging inaction on the part of the respondent authorities on sitting tight over the petitioners' applications for both RC1 and RC2. However, during the pendency of the writ petitions, final orders have been passed by the respondent authorities on such applications. The connected applications have been filed, virtually challenging the subsequent orders.

However, in view of limited scope of the two writ petitions, being merely inaction of the respondents in not passing any order, the cause of action has spent its force and the

writ petitions have become infructuous in view of the applications having been decided in the meantime, furnishing the petitioners with a fresh cause of action. As such, the subsequent cause of action ought not to be permitted to be assailed by interlocutory applications in connection with the present writ petitions.

Accordingly, WPO 397 of 2020 and WP 399 of 2020 along with GA 1 of 2021, GA 1 of 2021 are disposed of as infructuous by granting liberty to the petitioners to file appropriate writ petitions challenging the final orders passed by the respondent authorities on the petitioners' applications for grant of both RC1 and RC2.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)