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18.05.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8086 of 2022

**Swapan Kumar Roy
-versus
State of West Bengal & Ors.**

**Mr. Debabrata Saha Roy,
Mr. Pingal Bhattacharyya,
Mr. Subhankar Das,
Mr. Neil Basu.
...For the Petitioner.**

**Ms. Dipika Basu.
...For the Respondent No.6.**

**Mr. Samrat Sen,
Mr. Nilotpal Chatterjee,
Mr. Subhendu Sengupta.
...For the State.**

The petitioner prays for engagement on compassionate ground.

It appears from the submission made on behalf of the private respondent that the license has already been issued in his favour on 10th May, 2022 i.e. after filing of the present writ application.

By the issuance of the license in favour of the private respondent herein there arises a fresh cause of action. The same cannot be decided in the present writ application.

In view of the above, the instant writ petition stands dismissed as being infructuous due to the subsequent facts which arose during pendency of the writ petition.

The license issued by the Sub-Divisional Controller, Food & Supplies in favour of the private respondent herein on 10th May, 2022 be retained with the record.

It will be open for the petitioner to take appropriate steps in the matter in accordance with law, if so advised.

A copy of the said license has been handed over by the Learned advocate appearing for the private respondent to the learned advocate appearing for the petitioner in Court today.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)