

D/L
Item No. 11
30.06.2022
KOLE

**MAT 978 of 2022
With
IA No. CAN 1 of 2022**

**Mst. Salema Khatun
-Vs.-
The State of West Bengal & Ors.**

*Md. Salauddin,
Md. Ahsanuzzaman,
Md. Raziuddin,*

...for the appellant.

*Mr. Jahar Lal De,
Ms. S. Das De,*

...for the State.

*Md. Sarwar Jahan,
Mr. M. Mitra,
Mr. Maidul Islam,*

...for the respondent no.2.

By consent of the parties the appeal and the application are taken up for hearing together.

This appeal is directed against an order dated June 21, 2022 whereby the appellant's writ petition being WPA 3528 of 2020 was dismissed with costs assessed at Rs. 10,000/- to be paid by the writ petitioner to the West Bengal Legal Services Authority.

The writ petitioner had approached the learned Single Judge praying for an order directing the authorities to engage her as Sahayika in the concerned Sishu Shiksha Kendra. The learned Judge was apprised by the respondents that this issue had been decided by a learned Single Judge in an earlier writ petition filed by this petitioner being WP No. 7805 (W) of 2017, wherein, the same prayer of the writ

petitioner was rejected. Suppressing this fact, the writ petitioner approached the learned Single Judge by way of the present writ petition.

On the ground of suppression of material facts, the learned Single Judge dismissed the writ petition. We are in complete agreement with the learned Judge. Trying to hoodwink the Court is deprecable and culpable. A litigant, who tries to mislead the Court or obtain an order by concealing material facts, is not entitled to any relief from a Court of equity. We fully endorse the order of the learned Single Judge. However, on the request of learned Advocate for the appellant, who says that the appellant is financially a very weak person, we reduce the cost from Rs. 10,000/- to Rs. 1,000/- to be paid to the West Bengal Legal Services Authority within a fortnight from date. Let a copy of this order be sent to the Member Secretary of the West Bengal Legal Services Authority who will draw to our attention failure, if any, on the part of the appellant to deposit the cost as indicated above.

The appeal and the connected application are, accordingly, disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(Rai Chattopadhyay, J.)