

10.11.2022
ML-133
(PP)
Ct.21

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17091 of 2022

Sk. Idris
Vs.
The State of West Bengal & Ors.

Mr. Arka Bhattacharya
....for the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Sanjib Das
.....for the State.

The writ petitioner's grievance is that his representation dated July 22, 2021 has not been considered by the respondent authorities. The writ petitioner has prayed for being appointed as a Civic Volunteer in the district of Purba Bardhaman, Golaghat, P.O.- Sripalli, P.S.- Burdwan.

A coordinate Bench of this Hon'ble Court directed instructions to be filed by the Inspector-in-Charge, Burdwan Police Station and the same was done on August 30, 2022.

From the said instructions, it appears that the petitioner was enrolled as a Civic Volunteer on October 11, 2013 by the Selection Committee of Burdwan district. He served as a Civic Volunteer under Burdwan P. S. for a few days and subsequently, submitted a representation for his unwillingness to continue as a Civic Volunteer on

March 10, 2014. After receiving the representation for being unwilling to serve as a Civic Volunteer, a new candidate was enrolled in the said vacant post. The same was done by Burdwan District Order No.2301.

This Court finds that suppressing the aforesaid material fact, this writ petition was filed. After voluntarily praying for de-enrollment, the petitioner has approached this Hon'ble Court under Article 226 of the Constitution of India with unclean hands. Such conduct/action on the part of the petitioner is not appreciated.

In the light of the discussions above, **WPA 17091 of 2022** is dismissed.

Considering the economic condition of the petitioner, this Court is not imposing costs for filing such frivolous petition before this Hon'ble High Court.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)