

26 16.2.2022
SM Court No.15
ACO

WPA 15812 of 2011

Rina Rani Das @ Reene Rane Das

-vs-

Union of India & Ors.

with

WPA 15148 of 2010

Rina Rani Das @ Reene Rane Das

-vs-

Union of India & Ors.

Mr. Chittapriya Ghosh, Adv.
Mr. Samir Kumar Adhikari, Adv.

....for the petitioner

Mr. Dhruba Kr. Mukherjee, Adv.
Ms. Sabita Roy, Adv.

...for the Union of India

The present writ petition being WPA/15812/2011 is heard by this court previously on two occasions. During the course of hearing, Mr. Dhruba Mukherjee, learned advocate appearing on behalf of the Union of India has pointed out that there are two writ petitions, one being WPA/15148/2010 and another being WPA/8570/2011.

On consideration of such submission made on behalf of the Union of India this court has called for records of those two earlier writ petitions and the same are placed before this Court today. It appears that in the first writ petition being WPA/15148/2010 one amendment application being CAN/2833/2011 was

taken out and which was allowed by a coordinate Bench by passing order dated 4th May, 2011. Accordingly, in terms of the said order dated 4th May, 2011 petitioner was directed to take steps for filing of amended writ petition and service of the same on the respondents with the direction to exchange affidavits in connection with the said amended writ petition. The writ petitioner without taking steps in terms of the said order dated 4th May, 2011 passed on the amendment application filed another writ petition being WPA/8570/2011. The coordinate Bench dismissed the said second writ petition since the same was not pressed and leave was prayed for to file a fresh writ petition questioning the vires of relevant rules.

After the second writ petition being WPA/8570/2011 stood dismissed the only option left open to the petitioner was to take steps for filing amended petition pursuant to the order dated 4th May, 2011 but the petitioner chose to file another writ petition on the selfsame cause of action being WPA/15812/2011. This third writ petition being WPA/15812/2011 is taken up for consideration on number of occasions. Today on perusal of the orders passed by the coordinate Bench on the first and second writ petitions, as aforesaid, it appears that the third writ petition being WPA/15812/2011 cannot survive. Accordingly, the writ petition being WPA/15812/2011

stands dismissed.

Writ petitioner shall be at liberty to take steps in terms of the order passed by the coordinate Bench on 4th May, 2011 on the writ petition being WPA/15148/2010 and the connected amendment application being CAN/2833/2011.

(Saugata Bhattacharyya, J.)