

19th September,
2022
(AK)
06

W.P.A 19571 of 2022

Rafikul Momin and others
Vs.
The Adani Power (Jharkhand) Limited and others

Mr. Asif Iqbal
Mr. S.A. Munshi
...for the petitioners.

Mr. Anuj Singh
Mr. Aman Agarwal
Mr. Siddhartha Das
Ms. Trinisha De
Ms. Niharika Singh
...for the respondent nos. 1 & 2.

Mr. Amitabh Shukla
...for the respondent nos. 3 & 4.

When the matter is called on for hearing, an adjournment is sought on behalf of the petitioners.

Learned counsel appearing for the respondent no.1 as well as respondent nos. 3 and 4 point out that a similar writ petition had been filed, with the self-same language of the prayer and for the same reliefs as the present, by the present petitioner no.9.

The same was disposed of vide order dated July 5, 2022, thereby referring the matter to the concerned District Magistrate.

A copy of the previous writ petition and the order passed therein, that is, in WPA 9159 of 2022, are handed over to court, which reflect that the previous writ petition was almost a mirror image of the present writ petition.

Moreover, there are thirty four writ petitioners and, as rightly pointed out by learned counsel for the respondent nos. 1 and 2, there is nothing on record to indicate that the other petitioners, each having a separate cause of action, have authorized the petitioner no.1 to move the matter on their behalf.

Be that as it may, since the dispute raised has already been referred to the District Magistrate, no useful purpose will be served in keeping the present frivolous writ petition pending unnecessarily.

Hence, WPA 19571 of 2022 is disposed of by granting liberty to the petitioners herein to approach the concerned District Magistrate in the event the petitioners claim any right with regard to the dispute involved.

If so approached in due time, the District Magistrate shall deal with their objections in accordance with law in connection with the pending dispute, subject to existence of any legal rights of the petitioners.

Since no affidavits have been called for, it is deemed that the allegations made in the writ petition are denied by the respondents.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)