

WPA(P) 380 of 2022

Mainak Ganguly

Vs.

The State of West Bengal & Ors.

With

WPA(P) 442 of 2022

Arunava Ghosh

Vs.

The State of West Bengal & Ors.

Mr. Anindya Lahiri
Mr. Samrat Dey Paul

... ... for the petitioners

Mr. S. N. Mookherjee, AG
Mr. Anirban Ray, GP
Mr. D. Ghosh
Mr. N. Chatterjee
Mr. D. Gomes

... ... for the State

Mr. Dhiraj Trivedi, DSG
Mr. Sushil Mishra
Mr. Anup Dasgupta
Mr. L. Vishal Kumar

... ... for the Union of India

Ms. Sonal Sinha
Mr. Shourya Vir Das

... ... for the WBPCB

Mr. Alak Kumar Ghosh
Ms. Era Ghose

... ... for the KMC

In this public interest petition the petitioners have challenged the judgment of the National Green Tribunal dated 26th July, 2022 passed in OA 33/2014/EZ in respect of plying of the private vehicles which are more than 15 years old.

It is not in dispute that in terms of the judgment of the Supreme Court in the matter of Madhya Pradesh High Court Advocates Bar Association and Another

versus Union of India and Another, 2022 SCC online SC 639 the petitioners have a remedy of filing regular writ instead of PIL.

In view of the fact that the petitioners are personally aggrieved with the judgment of the Tribunal, we permit the petitioners to withdraw these public interest petitions with liberty to file the appropriate petition under Article 226/227 raising the personal grievance which will be listed before the appropriate Bench as per roster.

The public interest petitions are accordingly dismissed as withdrawn with liberty as mentioned above.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)