

3 22.11.2022

gd/ssd

WPA(P)/549/2022
TATHAGATA DATTA AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Tathagata Datta
..Petitioner No.1 (In person).

Sk. Toslim Ali
..Petitioner No.2 (In person).

Mr. Anirban Ray,
Md. T.M. Siddiqui,
Mr. Nilotpal Chatterjee,
Mr. Varun Kothari
..for the State.

Mr. Shiv Shankar Banerjee,
Ms. Sanchita Barman Roy
..for the Respondent No.5.

Affidavit of service filed by the petitioners
appearing in person is taken on record.

In this public interest petition the petitioners have
come up with the vague plea that small one rupee coins
are not accepted by the hawkers, shopkeepers, vendors
etc. In the writ petition the prayer is to constitute a
special investigation team to carry out the detailed
investigation to identify root of such criminal activities
and to produce report before this Court for further
action.

A perusal of the petition reveals that no such
particular incident of refusal has been mentioned. The
petition is based upon solitary local newspaper report.

No efforts have been made by the petitioners to collect any further material nor the petitioners had approached any competent authority raising such a grievance, but they have straightway filed the present petition claiming various reliefs.

In this regard Hon'ble Supreme Court in the matter of *State of Uttaranchal v. Balwant Singh Chauhan & Others* reported in (2010) 3 SCC 402 in paragraph 174 held as under:

“174. A degree of precision and purity in presentation is a sine qua non for a petition filed by a member of the Bar under the label of public interest litigation. It is expected from a member of the Bar to at least carry out the basic research whether the point raised by him is *res integra* or not. The lawyer who files such a petition cannot plead ignorance.”

In the present CAN petitioner is an Advocate appearing in person.

Since the present petition does not contain the material particular and no supporting documents in respect of the plea taken in the petition have been filed and no such research work in this regard has been done by the petitioners, therefore, we do not find any ground to entertain the present public interest petition. Hence, the petition is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

