

12
jdt.

21.12.2022
jb.

W.P.A. 25721 of 2022
(Sk. Islam Hossen vs. State of West Bengal & Ors.)

Mr. Susanta Kr. Rakshit
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Mr. Raju Mondal
.... For the Respondent No. 6

Affidavit of service filed on behalf of the petitioner is taken on record.

Photocopy of the writ petition being W.P.A. 3770 of 2022 and order passed in W.P.A. 3770 of 2022 submitted on behalf of the private respondent are taken on record.

Heard learned counsels for the parties.

The petitioner has prayed for issuance of environment clearance certificate and for granting order of execution of long term mining lease in favour of the petitioner.

It is submitted on behalf of the respondents that an earlier writ petition was filed by the petitioner being W.P.A. 3770 of 2022 wherein the petitioner made similar prayers as in the present writ petition. The earlier writ petition was

withdrawn by the petitioner without seeking liberty to file a fresh writ petition on the same cause of action.

Such fact is not disputed.

In view of the fact that a similar writ petition with similar prayers was withdrawn by the petitioner earlier without seeking liberty to file afresh on the same cause of action, the present writ petition filed on the same cause of action is not maintainable.

Accordingly, W.P.A. 25721 of 2022 is dismissed as not maintainable.

There shall be no order as to costs.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)