

ORDER SHEET

WPO/124/2019

IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

SMT. ALKA KEJRIWAL  
VS  
THE STATE OF WEST BENGAL AND 5 ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 18<sup>th</sup> April, 2022.

Appearance:

*Mr. Ashok Gupta, Adv.*  
*Mr. Avirup Mondal, Adv.*  
*Ms. Priyanka Sharma, Adv.*  
*...for the petitioner*

*Mr. Soumya Mazumdar, Adv.*  
*Mr. Shuvasish Sengupta, Adv.*  
*Mr. Soumyajit Mishra, Adv.*  
*Mr. Balarko Sen, Adv.*  
*...for respondent nos. 4, 5 & 6*

The Court: Learned counsel for the petitioner, in his usual fairness, submits that during pendency of the writ petition, the cause of action has lapsed and, as such, the writ petition has become infructuous.

Learned counsel for the writ petitioner places reliance on the admission made by the State in paragraph 12 of its affidavit-in-opposition, affirmed by one Arup Goswami on July 26, 2019, wherein it has been stated that the term of the licence (regarding which the present writ petition has been preferred) has already expired on 31.05.2019.

However, learned counsel appearing for the respondent nos. 4, 5 and 6 disputes such contention and submits that the licence has subsequently been renewed from time to time, which in turn is further disputed by learned counsel appearing for the petitioner.

Be that as it may, since the petitioner does not want to proceed with the writ petition on the ground that the same has become infructuous, there is nothing in law which can compel the petitioner to continue with the writ petition.

However, it is made clear that the merits of the respective contentions of the parties have not been gone into by this Court.

Accordingly, WPO/124/2019 is dismissed as infructuous without any order as to costs.

Urgent certified website copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)