

15 26.06.2023
RP Ct. No. 01
AN

WPA (P) 285 of 2023

Souma Subhra Ray
Vs.
The Election Commission, West Bengal & ors.

Mr. Debasish Kundu
Ms. Susmita Mandal

... For the petitioner

1. The writ petitioner in this Public Interest Litigation seeks for a prayer against the 4th respondent who is a private individual and seeks for issuance of a writ of mandamus to show cause as to why appropriate steps should not be taken against the 4th respondent for cancellation of his membership from the Legislative Assembly.

2. In our view, the remedy sought for by the learned counsel for the petitioner is not maintainable too by way of a Public Interest Litigation. If, according to the petitioner, there are other remedies available to him as per the constitutional scheme, it will be open to the petitioner to avail such remedy.

3. With the above observations, the instant writ petition stands **disposed of**.

(T. S. Sivagnanam)
Chief Justice

(Ajay Kumar Gupta, J.)

