

Court No. 22
09.10.2023
(Item No. 43)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 20197 of 2019
+
CAN 1 of 2020
(Not in file)

Nurul Hasan Sardar
VS
The State of West Bengal & Ors.

Mr. Raju Mondal
..... for the petitioner
Mr. Santanu Kumar Mitra
Ms. Rama Halder
..... for the State

Mr. Raju Mondal, learned advocate appearing for the petitioner prays for withdrawal of the writ petition with a leave to file afresh on the self-same cause of action by making its prayer strictly in accordance with law.

An order of a co-ordinate bench dated **June 7, 2013** passed in another writ petition being **W.P. No. 15259 (W) of 2013** which was filed by a different writ petitioner namely, **Dulal Chandra Sarkar** is still in existence. The petitioner seeks to receive the benefit of the said order being a candidate placed identically and similarly as that of that petitioner as contended by the learned counsel for the petitioner.

Be that as it may, in view of the prayer for withdrawal of the writ petition made on behalf of the petitioner, the petitioner is allowed to withdraw this writ petition with a leave to file afresh on the self-same cause of action by making prayers strictly in

accordance with law in view of the operation of the ***West Bengal School Service Commission Act, 2009.***

Mr. Santanu Kumar Mitra, learned counsel appears for respondent Nos. 1 to 3.

Accordingly, this writ petition ***W.P.A. 20197 of 2019*** stands ***dismissed as withdrawn***, with liberty to the petitioner as mentioned above to file afresh on the self-same cause of action.

(Aniruddha Roy, J.)