

OD-3

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/436/2017
WITH WPO/431/2017

WEST BENGAL KEROSENE DEALERS' ASSOCIATION & ANR.
VS
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE BIBEK CHAUDHURI

Date : 30th June, 2023.

Appearance:
Mr. Sirsanya Bandopadhyay, Adv.
Mr. Arka Kumar Nag, Adv.
...for the State

The Court:- None appears on behalf of the petitioners nor is any accommodation has been sought for.

Mr. Sirsanya Bandopadhyay, learned advocate appearing on behalf of the State respondents is present.

It appears from the order dated 23rd June, 2023, that vide order dated 19th May, 2022, a Co-ordinate Bench directed WPO/431/2017 to be tagged with the instant writ petition. However, WPO/431/2017 has not been tagged with the instant writ petition.

WPO/431/2017 was disposed of by a Co-ordinate Bench on 24th June, 2022. In the said judgment, the Co-ordinate Bench was pleased to hold that the impugned policy dated 11th July, 2017, was not adopted contrary to the order passed by this Court. It appears that the parameters laid down by the Court were

duly followed. Over and above the same, other evidences were also considered and, thereafter, the policy was ultimately framed. Thus, the Hon'ble Judge in the Co-ordinate Bench re-framed from interfering with the said policy order and the writ petition was dismissed.

Since the instant writ petition is filed on the self-same facts and circumstances challenging the same policy decision, the instant writ petition is also liable to be dismissed following the ratio laid down in WPO/431/2017.

Accordingly, the instant writ petition is dismissed.

Let a server copy of the judgment passed in WPO/431/2017 be kept with the records.

(BIBEK CHAUDHURI, J.)