

02 10.04.2024
AN Ct. No. 01
RP

WPA(P) 125 of 2023

Ismail Kayal
Vs.
State of West Bengal & ors.

Ms. Gopa Biswas
Ms. Payel Shome
Ms. Mohona Das
... .. For the Petitioner

Mr. Supriya Roy Chowdhury
Mr. Sankar Ghosh
... .. For the respondent no. 4

Mr. Debasis Kar
Mr. Subhajit Chowdhury
... ..For the respondent no. 7

1. We have heard learned counsel for the respective parties.

2. Learned counsel appearing for the petitioner has circulated an undated letter stating that the petitioner wants to withdraw this writ petition since certain particulars are missing with liberty to file a fresh writ petition on the self-same cause of action. The prayer for withdrawal of the writ petition is not opposed by the respondents but, however, the prayer for granting liberty to file a fresh writ petition on the self-same cause of action is objected.

3. We find that earlier, the writ petitioner had moved a Public Interest Litigation being WPA(P) 448 of 2022 for identical relief and the same was dismissed by the Hon'ble Division Bench by order dated 15.09.2022 with the liberty to the petitioner to approach such other forum or

invoke such other remedies as available under law.
Thereafter, the present writ petition has been filed.

4. Thus, considering the facts, no liberty can be granted to the petitioner to file a fresh writ petition on the self-same cause of action. Hence, this writ petition stands **dismissed**.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)