

12.09.2024
Item No.14
Crt.No.14
b.r.

W.P.A 21038 of 2024

Manoranjan Mandi & Ors.
-vs-
The State of West Bengal & Ors.

Ms. Gopa Biswas
..... for the petitioners.

Mr. Bhaskar Prasad Vaisya, Ld. AGP
Mr. Nilay Baran Mondal
..... for the State

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
.... For the WBBPE.

The instant writ petition has been filed by 11 petitioners but Vakalatnama has been filed only by 5 of them. Rest 6 petitioners did not sign the Vakalatnama at all. The litigants who did not sign the Vakalatnama cannot be treated as petitioners in the instant writ petition. The writ petition is being considered only in respect of the petitioner nos. 1 to 5 and the order passed herein will be restricted only in respect of the petitioner nos. 1 to 5.

Learned advocate for the petitioners submits that the writ petitioner nos. 1 to 5 do not intend to proceed with the petition any further. Written communication, allegedly signed by those petitioners, has been placed before this Court. On a perusal of the handwritten communication of the petitioners it appears that the

signature of the petitioners in the written communication and the Vakalatnama do not tally with each other. The Vakalatnama has been signed in English and the hand written communication has been signed in vernacular.

Learned advocate for the petitioners insists that as the hand written communication is in vernacular accordingly, the signature was made in vernacular and not in English. The Court is not convinced with the submissions made on behalf of the petitioners.

The advocate-on-record of the petitioners ought to have been very cautious at the time of filing the writ petition and at the time of making submission in support of the petitioners. The advocate-on-record of the petitioners is cautioned and directed to remain extremely careful while filing petition before the Court.

As the petitioners intend not to proceed with the writ petition any further, accordingly, the writ petitions stands dismissed as 'not pressed'.

It will be open for the petitioners to file fresh petition on the self-same cause of action upon proper and better particulars.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)