

16.7. 2024
item No.25 & 26
n.b.
ct. no. 24

WPA 23347 of 2023

Mithu Roy
Vs.
The State of West Bengal & Ors.
With
WPA 19694 of 2023
Soma Roy
Vs.
The State of West Bengal & Ors.

Mr. Ram Anand Agarwala,
Ms. Nibedita Pal,
Mr. Ananda Gopal Mukherjee,
Ms. Sonam Ray.
.....for the petitioner(in WPA 19694 of 2023).
Mr. Ram Anand Agarwala,
Ms. Nibedita Pal,
Mr. Ananda Gopal Mukherjee,
Ms. Sonam Ray.
.....for the private respondent(in WPA 23347 of 2023).
Mr. Supratim Dhar,
Mr. Amrita lal Chatterjee,
.... For the State.

WPA 19694 of 2023 was tagged with this matter.

It appears that the said writ petition being WPA 19694 of 2023 was disposed of by this Court on August 28, 2023.

Respondent no.5 is represented through learned advocate.

Mr. Amrita lal Chatterjee, learned advocate for the State filed one affidavit-in-opposition. Let the affidavit-in-opposition be kept with the record.

None appears on behalf of the petitioner. No accommodation is sought for.

It is the submission of learned counsel for the respondent no.5 that the instant writ petition is infructuous by virtue of order of this Court in WPA 19694 of 2023. The issue involved in the writ petition has properly been clarified. He referred the relevant judgment passed by this Court.

The petitioner pleaded in paragraphs 5,6,7 and 8 that the deceased Maya Rani Ray made a registered will on 1.10.2020 contending, inter alia, that after her demise, the present petitioner Mithu Roy being the daughter shall be absolute owner of the said kerosene dealership by the strength of a Will. Issuance of dealership or licence by the government authority is not subject to any right, so acquired by the terms of a written instrument inter-vivos between parties.

However, the matter has already settled by this Court in the earlier occasion in WPA 19694 of 2023.

The petitioner did not turn up. It appears to me that the petitioner is not at all interested to proceed further with this matter.

Accordingly, the instant writ petition is dismissed and disposed of as devoid of merit.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)