

August 1, 2025
Sl. No.13
Court No.8
s.biswas

WPA(P) 44 of 2022

Sayan Banerjee
vs.
The State of West Bengal and others

Mr. Saaqib Siddiqui

... for the State

Ms. Koyeli Bhattacharyya

Mr. Bibek Dutta

... for the WBBSE

1. None appears for the petitioner.
2. The respondent nos.5, 6 and 7 are represented through their learned advocate Ms. Koyeli Bhattacharyya. She submits that petition for issuance of writ of quo warranto is filed in the shape of PIL, which is not maintainable. Even otherwise the main relief (a) has rendered infructuous because the respondent no.7 has already been removed in the year 2021 and is still behind the bar.
3. The Apex Court in (2010) 9 SCC 655 [*Hari Bansh Lal vs. Sahodar Prasad Mahto*] opined that a PIL is not maintainable seeking writ of quo warranto in a service matter. Apart from this, the learned counsel for the respondent nos.5, 6 and 7 informed that the respondent no.7 has already been removed in the year 2021 and is still behind the bar.
4. Thus, nothing remains to be adjudicated in this matter. The PIL is dismissed.

5. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all necessary formalities.

(Sujoy Paul, J.)

(Smita Das De, J.)