

06.05.2025
Item No. 18
AN/Ct. No.10

WPA 13302 of 2023

**Aloke Ranjan Chowdhury
versus
The State of West Bengal & Ors.**

Mr. Debasis Sur
Mr. Angsuman Patra
... for the petitioner

Ms. Deblina Chattaraj
Ms. Poulomi Chattopadhyay
... for the respondent
Transport Corporation

The grievance of the petitioner is *inter alia* directed against non-payment of pay protection for differentiation of scale of pay from July, 2015 to 2021. The petitioner also seeks leave encashment/provident fund and gratuity. In short, the petitioner prays for all monetary benefits which he is entitled to during his tenure of service.

It is submitted on behalf of the respondent nos. 2, 3, 4 and 5 that the petitioner is a habitual litigant and despite having received all entitlements, is repeatedly re-agitating the same issues by filing multiple writ petitions. In an earlier writ petition, being WPA 6987 of 2022 [Aloke Ranjan Chowdhury vs. The State of West Bengal & ors.], the petitioner had claimed the self-same reliefs. Subsequently, the petitioner filed WPA 18109 of 2023 seeking similar reliefs. Both the writ petitions have been disposed of.

Significantly, the petitioner had earlier been supplied a Tabulation Sheet containing a computation of dues paid by the respondent company to the petitioner. Admittedly, payment of this amount was made on 2 March 2023 and the petitioner duly received the same on 3 March 2023 in terms of the order dated 4 January 2023. It appears from the facts that the petitioner has repeatedly filed multiple writ petitions on the self-same cause of action. In such circumstances, the reliefs prayed for in the writ petition are barred by the principles of waiver, estoppel and acquiescence.

By an order dated 04.01.2023, passed in WPA 6987 of 2022, a Coordinate Bench had directed payment to the petitioner of the entire difference of arrear salary. As such, the petitioner is not entitled to any amount whatsoever. The reliefs sought for in this writ petition have been adjudicated and the petitioner has duly received the entire amount.

This is a desperate attempt by the writ petitioner to re-open the issues which have already been conclusively decided in WPA 6987 of 2022. The writ petitioner is indirectly trying to review the order dated 04.01.2023 (after receipt of payment) which is impermissible in law. The writ petition is an abuse of process and is dismissed. The writ petitioner has also approached this Court with unclean hands and is not entitled to any discretion whatsoever.

In view of the above, WPA 13302 of 2023 stands dismissed.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Ravi Krishan Kapur, J.)