

**01.08.2025**  
**Sl. No.27**  
tkm

**W.P.A. 22365 of 2024**  
**(Md. Shakil vs. State of West Bengal & Ors.)**

|                       |                             |
|-----------------------|-----------------------------|
| Ms. Sana Naaz         | ... .. for the petitioner   |
| Mr. Sandipan Banerjee |                             |
| Mr. D Chakraborty     | ... .. for the KMC          |
| Ms. Sipra Mazumder    |                             |
| Ms. Prativa Ghatak    | ... .. for the State        |
| Mr. Amit Kr. Pan      | ... .. for respondent no. 5 |

1. Learned counsel for the private respondent raises ground of maintainability in view of the fact that the petitioner had filed another writ petition on the same facts and cause of action which is pending before this court.
2. Learned counsel for the petitioner states that she has stated in para 18 of the present writ petition that she had filed another writ petition on the same facts and cause of action under ‘group IX’. The same has been released by Hon’ble Justice Joy Sengupta due to lack of determination. Accordingly, the petitioner has been compelled to file the present writ petition.
3. Learned Counsel for the petitioner however, clarifies that the said writ petition is still pending and not yet withdrawn.
4. In view thereof, the present writ petition is not maintainable, in as much as it pertains to the self same cause of action already forming the subject

matter of the previously instituted writ petition which is still pending. The said fact has been acknowledged in the present writ petition.

5. In view thereof, the petitioner seeks to withdraw the present petition and the same is dismissed as withdrawn.

**(Gaurang Kanth, J.)**