

02.01.2025
Item No.1
PG/KS
Ct. No.1

W.P.A.(P) 414 of 2024

**Firoz Gazi @ Feroz Gazi.
Versus
The State of West Bengal & ors.**

Mr. Mukteshwar Maity
Ms. Nupur Chaudhuri.....for the petitioner

Mr. Samrat Sen, Ld. AAAG
Mr. Amal Kr. Sen, Ld. AGP
Mr. Lal Mohan Basufor the State

Mr. Chittaranjan Chakraborty
Mr. Sumit Banerjee
Ms. Puspa Rani Jaiswara.....for the respondent no. 7

1. This writ petition, styled as a public interest litigation, has been filed alleging that the appointment of the 7th respondent is illegal as he does not possess the requisite qualification.
2. Earlier, an identical prayer was made by another writ petitioner in W.P. 21189(W) of 2013 and the Hon'ble Division Bench by order dated January 20, 2015 declined to entertain the writ petition as a public interest litigation. However, there was a direction upon the respondent authorities to look into the representation given by the said petitioner to do the needful.
3. The present petitioner now comes with the very same issue contending that a mass petition has been given to the 5th respondent, which has not been considered.

4. As noted above, an identical relief was sought for in an earlier writ petition, which was refused to be entertained as public interest litigation. Therefore, we cannot entertain a second writ petition by a different set of people on the same cause of action as a public interest litigation.
5. However, the petitioner will be at liberty to pursue the representation before the 5th respondent by appearing before the 5th respondent in person and producing a copy of this order and the 5th respondent may take note of the grievance, issue notice to the 7th respondent and proceed to take action in accordance with law.
6. With the aforesaid observations/directions the writ petition is dismissed.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)