

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 17.07.2025

DELIVERED ON: 17.07.2025

CORAM:

**THE HON'BLE CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE JUSTICE CHAITALI CHATTERJEE (DAS)**

M.A.T. 2188 Of 2024

With

I.A. No. CAN 1 of 2024

Sukhen Mondal & Ors.

Vs.

The State of West Bengal & Ors.

Appearance:-

Mr. Ekramul Bari

Mr. Sk. Imtiaj Uddinfor the Appellants

Mr. Jayanta Samanta

Mr. Sujit Guptafor the State

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal by the writ petitioners is directed against that portion of the order dated 21st November, 2024 in W.P.A. 19782 of 2024 by which the learned Writ Court restricted the writ petition only in respect of the petitioner no. 1 and the petitioner nos. 2 to 7 were expunged from the array of petitioners and that they will be entitled to file separate writ petitions on the self-same cause, if otherwise not precluded from doing so.
2. Admittedly, the cause of action for filing the writ petition in respect of all the seven petitioners are identical and all the seven petitioners have paid individual court fee. In such circumstances, the petitioners should be

permitted to join together and file a single writ petition, subject to payment of individual court fee, which has already been done by the petitioners.

3. We find support to this conclusion from the decision of the Hon'ble Division Bench of this Court in the case of **2006 SCC OnLine Cal. 25 : Parul Debnath & Ors. vs. Union of India & Ors.**; decision of the Full Bench of the High Court of Allahabad in the case of **Umesh Chand Vinod Kumar & Ors. vs. Krishi Utpadan Mandi Samiti, Bharthana & Anr. : 1983 SCC OnLine All. 638** and the order passed by the learned Single Bench of this Court in the case of **Julekha Nasrin & Ors. vs. State of West Bengal & Ors** .in **W.P. 26842(W) of 2016**.
4. Accordingly, the appeal is allowed and the order passed by the learned Single Bench is set aside and all the seven writ petitioners are permitted to join together and espouse their cause in a single writ petition as already seven of them have paid individual court fee. Consequently, I.A. No. CAN 1 of 2024 is disposed of.
5. In view of the above, cause title of the writ petition be restored to its original position and the respondents are at liberty to file their affidavit in opposition raising all contentions.
6. No costs.
7. 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

I agree.

(CHAITALI CHATTERJEE (DAS), J.)