

12-03-2026
ct no. 10
Sl. 11
RP

WPA 11651 of 2024

Rabindranath Das
-Versus-
State of West Bengal & Ors..

Mr. Allen Felix.

...for the petitioner

Mr. Sanat Kr. Roy,
Mr. Atanu Ghosh

...for the respondent no. 4

1. None appears on behalf of the State respondent.
2. The petitioner has approached this Court alleging that the State Transport Authorities did not consider the representations made by the petitioner against the renewal of the permit in favour of private respondent.
3. The learned Counsel appearing for the private respondent submits that on the self-same issue the petitioner has already approached this Court by filing a writ petition being WPA 12315 of 2025 wherein the same has been disposed of on 01.07.2025 by the Co-ordinate Bench of this Court directing inter alia, the Secretary Regional Transport Authority, Purba Burdwan to communicate the decision which is reproduced below:-

“ In view of the fact that the Secretary, Regional Transport Authority has already heard the writ petitioner and the respondent no. 4 on June 20, 2025 as submitted by the parties, there is no reason to keep this writ petition pending any further.

WPA 12315 of 2025 stands disposed of with a direction on the Secretary, Regional Transport Authority, Purba

Bardhaman to communicate the decision that the Secretary may have taken pursuant to the hearing held on June 20, 2025 to the parties within a week from the date of taking of such decision.”

4. Despite a specific direction from the Coordinate Bench of this court the state respondents has failed to comply with the Order dated 01.07.2025 consequently, a contempt application for the wilful disobedience is still pending for disposal.

5. The private respondents submits that the instant writ petition pertaining to same cause of action is barred by the principles of res judicata.

6. After hearing the parties this Court of the view that once a Court has decided the same parties cannot litigate that exact matter again, to do so would make the first order redundant and nugatory as held in the case of Rajendra Kumar Vs State of U.P. Civil Misc. writ petition 24904 of 2003 reported at 2003 AMC 321 DB. Filing multiple petitions for the same relief is considered abuse of the process of the Court. Filing of a second Writ Petition on the same cause of action while a contempt for the first is pending is barred by res judicata.

7. In view of the above the writ petition being WPA 11651 of 2024 stands dismissed.

(Smita Das De, J.)