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jdt. 24.06.2026
jb.

WPA 13350 of 2026
(Narayan Maity and Ors. vs. State of West Bengal & Ors.)

Mr. Dilip Kr. Sinha
.... For the Petitioners

Mr. Madhu Jana
Ms. Puja Sonkar
.... For the State

Robiul Islam
Shamim Ul Bari
Jayed Hossain
K. M. Hossain
Mr. Sumitra Das
M. Rahaman
.... For the Respondent nos. 6 and 7

Affidavit of service filed on behalf of the petitioners is taken on record.

Challenging the maintainability of the writ petition learned counsel for the private respondents submits that the petitioners filed a public interest litigation being WPA (P) 216 of 2026 with the same allegations as in the present application. The earlier writ petition has been disposed of by an order passed on 8th May, 2026. The petitioners have deliberately suppressed the said fact in this application.

Though learned counsel for the petitioners submits that only some of the facts in the present application have been averred in the earlier public interest litigation, it appears on perusal of the earlier application that the petitioners therein who are also petitioners in the present application alleged that the

private respondents destroyed the connecting wooden bridge and mud path leading to the cremation ground and constructed boundary wall and building in contravention of the West Bengal Panchayat Act, 1973. The petitioners prayed for a restraining order upon the private respondents in this regard. The prayer of the petitioners in the present writ petition is demolition of unauthorised construction raised by the private respondents in the plot in question. The prayers in both the writ petitions appear to be the same. The petitioners have chosen not to disclose the public interest litigation or the order passed therein in the present writ petition and have made an identical prayer herein.

Such conduct of the petitioners amounts to deliberate suppression of material facts. It is trite law that a litigant seeking relief in a Court of law should come before the Court with clean hands. In view of the fact that the petitioners have deliberately suppressed material fact before this Court and have not come before this Court with clean hands, they are not entitled to any relief herein.

The writ petition is dismissed solely on the said score.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)