

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).39707/2022

(Arising out of impugned final judgment and order dated 11-04-2022 in WPA No.3629/2022 passed by the High Court At Calcutta)

SUVENDU ADHIKARI

Petitioner(s)

VERSUS

THE HON'BLE SPEAKER WEST BENGAL LEGISLATIVE  
ASSEMBLY & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.27473/2023-CONDONATION OF DELAY IN FILING and IA No.27477/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27478/2023-EXEMPTION FROM FILING O.T. and IA No.27476/2023-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

WITH

Item 31

Diary No(s).39711/2022

(IA No.41010/2023-CONDONATION OF DELAY IN FILING and IA No.41008/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.41009/2023-EXEMPTION FROM FILING O.T. and IA No.41012/2023-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

Date : 24-02-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Gaurav Pachnanda, Sr. Adv.  
Mr. Gopal Sankarnarayanan, Sr. Adv.  
Mr. Billwadal Bhattacharya, Adv.  
Mr. Kabir Shankar Bose, Adv.  
Mr. Surjendu Sankar Das, AOR  
Mr. Amit Kumar Mishra, Adv.  
Ms. Annie Mittal, Adv.  
Mr. Sayak Chakraborti, Adv.  
Mr. Anish Kumar Mukherjee, Adv.  
Mr. Suryaneel Das, Adv.  
Mr. Abhijeet, Adv.  
Mr. Varun Srinivasan, Adv.  
Ms. Ishita Chowdhury, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Diary No.39711/2022

Upon our expressing reservations in entertaining this petition, particularly in the backdrop of the fact that earlier too, the writ petition filed in this Court (W.P (C) No.117 of 2022) was withdrawn so as to approach the High Court, as recorded in the order dated 25.02.2022 passed in a batch of petitions led by SLP(C) No.16746 of 2021, the learned senior counsel appearing for the petitioner seek permission to withdraw with liberty for the petitioner to approach the High Court. The learned counsel would, however, submit that the petitioner has filed this petition in this Court essentially for the reason that the earlier petition for special leave to appeal (SLP) challenging the High Court's order dated 11.04.2022 in WPA No.3629 of 2022 is pending in this Court.

So far as the said SLP is concerned, the same is obviously rendered redundant after the Speaker had passed the order dated 08.06.2022 and, in the totality of the circumstances, particularly when earlier the petition had been filed in the High Court, we find little justification for the petition against the order dated 08.06.2022 being filed in this Court.

Be that as it may, when learned counsel for the petitioner have sought permission to withdraw, without any other comment, we are inclined to grant such permission with liberty to the petitioner to take recourse to appropriate remedies in accordance with law, including filing of a petition in the High Court and

making an appropriate request for its analogous hearing with pending matters.

This petition stands dismissed as withdrawn with the observations foregoing.

Diary No(s).39707/2022

For what has been observed hereinabove, this petition as against the order dated 11.04.2022 passed by the High Court in WPA No.3629 of 2022 is rendered redundant and stands dismissed as such, while leaving all the questions of law open.

(GAGANDEEP SINGH CHADHA)  
(SENIOR PERSONAL ASSISTANT)

(RANJANA SHAILEY)  
COURT MASTER (NSH)