

5 12.12.19
akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 826 of 2019
Bhudeb Chandra Barman
-Versus-
The State of West Bengal & Ors.

Mr. Tridib Chakraborty
Mr. Victor Chatterjee **...For the Petitioner**

Mr. Debabrata Dhar
Ms. Paramita Sahu **...For State Respondents**

Mr. Debajit Kundu **...For Respondent No. 6**

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by non-consideration of his representation for renewal of his certificate of registration to carry on the business of selling fertilizers.

Mr. Debabrata Dhar, learned Assistant Government Pleader, learned Counsel appearing on behalf of the State respondents submits that the application for renewal has been made approximately one year after expiry of the certificate of registration. He further submits that as per the rules the application for renewal is required to be made six months prior to expiry of original registration certificate. He again submits that the medical certificate provided by the petitioner is of the year 2016 and is only a prescription.

I have heard learned Counsel appearing on behalf of the parties and perused the materials placed on record and I am of the view that the application of the petitioner should be disposed of with a reasoned order by the concerned respondent authority.

In the light of the same, the Registration Authority

& Assistant Director of Agriculture (Administration), Mekhliganj, Cooch Behar, being the respondent No. 2 is directed to consider the representation made by the petitioner upon granting an opportunity of hearing to the petitioner, and thereafter, pass necessary reasoned order within a period of four weeks from the date of communication of this order.

The reasoned order should be communicated to petitioner within a week from the date of passing such reasoned order.

With the aforesaid observation, the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Shekhar B. Saraf, J.)