

D.L. 32.  
28.09.2020  
S.D.

**W.P.A. 7135 of 2020**  
**With**  
**CAN 1 of 2020**  
**Pabitra Dalui**  
**Vs.**  
**The State of West Bengal & Ors.**  
**(Via Video Conference)**

Mr. Sabyasachi Chatterjee  
Mr. Pintu Karar  
....for the petitioner.

Mr. Samrat Sen, A.A.A.G.,  
Ms. Sutapa Sanyal  
.....for the State.

Mr. Suman Basu  
....For Hooghly Zilla Parishad.

Mr. Anjan Bhattacharya  
....For the Respondent No. 6.

**In re: CAN 1 of 2020**

This is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Learned Advocate appearing on behalf of the petitioner submits that, the petitioner enjoyed a lease for a Ferry Ghat. Due to the pandemic, the petitioner was prevented from

operating such Ferry Ghat for a period of 121 days. He draws the attention of the Court to the contract between the petitioner and the authorities and submits that, there subsists a force majeure clause. The petitioner made a representation in terms of such clause to the authorities. Such a representation is yet to be disposed of.

State and the respondent no. 6 are represented.

Learned Assistant Additional Advocate General submits on instructions that the petitioner gave up his right for extension of the period of lease.

It appears from the records that, the petitioner made a representation dated September 7, 2020, which is yet to be decided by the respondent no. 6.

In such circumstances, it would be appropriate to request the respondent no. 6 to consider and decide the representation dated September 7, 2020 in accordance with law. The respondent no. 6 will afford a reasonable opportunity of hearing to the petitioner. He is at liberty to hear such other parties and consult such documents that he deems necessary. He will pass a reasoned order, which he will communicate to the parties forthwith thereafter.

It is expected that the entire exercise is completed within a period of four weeks from the date of communication of this order to him.

W.P.A. 7135 of 2020 is disposed of without any order as to costs.

**(Debangsu Basak, J.)**