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WPA 7948 of 2020
(VIA VIDEO CONFERENCE)

Nanda Sarkar
Vs.
The State of West Bengal & Ors.

Ms. Shabana Hasin.
... for the petitioner.

Petitioner obtained lease of a fishery for a period of three years pursuant to a public auction.

Learned advocate for the petitioner submits that, although the period was for three years, possession was given to the petitioner late. In respect of the first year, the petitioner merely had four months. The petitioner deposited a sum of Rs.17,00,500/- with the authorities. Immediately thereafter, the authorities are demanding lease rentals for the next year. She submits that, the petitioner made a representation dated January 28, 2020. The petitioner is ready and willing to pay the just dues of the authorities. However, given the fact that the petitioners had the benefit of only four months for the first year, the authority should take such fact into consideration while demanding the lease for the next year.

None appears for the respondent authorities

despite notice.

In the facts of the present case, since the petitioner made a representation dated January 28, 2020 to the concerned District Magistrate, it would be appropriate to direct the District Magistrate concerned to consider and decide the representation dated January 28, 2020, in accordance with law, as expeditiously as possible and preferably within a period of four weeks from the date of communication of this order. The District Magistrate will afford an opportunity of hearing to the petitioner. The District Magistrate is at liberty to hear such other parties and consult such documents that it deems necessary. The District Magistrate will communicate its reasoned order to the parties affected forthwith thereafter.

WPA No. 7948 of 2020 is disposed of without any order as to costs.

(Debangsu Basak, J.)