

Sl.9.
February 19, 2021
SG & Saswata

MAT 139 of 2021
with
CAN 1 of 2021

The Tea Board India and others
-versus-
Ram Kumar Jhajharia and others

with

WPA 494 of 2021

Ram Kumar Jhajharia
-versus-
The Union of India and others

Ms. Chandreyi Alam,
Ms. Runu Mukherjee,
... Advocates for the appellants.

M/s. Nilanjan Bhattacharjee,
Saket Sharma,
Sirshendu Chowdhury,
... Advocates for the respondent no.1.

The present intra court appeal has been filed challenging the interim order dated January 15, 2021 passed by the learned Single Judge in WPA 494 of 2021.

The order of suspension of e-account of the respondent no.1/writ petitioner had been stayed by the learned Single Judge.

Learned counsel for the appellants submitted that the licence granted to the respondent no.1/writ petitioner was valid till December 31, 2019. Thereafter renewal had to be applied. Certain conditions were to be fulfilled. However, the

respondent no.1/writ petitioner failed to fulfill those conditions.

During the process of renewal of licence inquiries were made and certain deficiencies were found in the maintenance of record by the respondents. As a result of which e-account of the respondent no.1/writ petitioner was suspended. It is the aforesaid order which was impugned before the learned Single Judge.

It was fairly submitted by the learned counsel for the appellant that the suspension order of the e-account of the respondent shall be revoked and subsequent thereto the respondent no.1/writ petitioner shall be afforded an opportunity to complete the requisite documents and clear the objections which were found during the course of inspection of the unit of the respondent. The application for renewal of licence shall be dealt with accordingly.

Learned counsel for the respondents does not have any objection to the aforesaid fair submission made by the learned counsel for the appellant.

Having heard the learned counsel for the parties, in our opinion not only the present appeal even the writ petition filed by them can also be taken up together as the issues sought to be raised stand resolved.

With the consent of the parties, the writ petition being WPA 494 of 2021 is directed to be listed for hearing today and taken up with the present appeal.

After hearing learned counsel for the parties the present appeal and the writ petition are disposed of in view of the fair stand taken by the learned counsel appearing for the Tea Board India. The impugned suspension order of e-account of the respondent no.1/writ petitioner stands revoked with liberty to the Tea Board India to deal with the application for renewal of the licence filed by him in accordance with law while giving fair opportunity pointing out the deficiencies required to be fulfilled by him on account of inspection of his unit or otherwise.

Let the entire exercise be carried out within a period of three months from the date of receipt of copy of the order.

The appeal and the writ petition are disposed of accordingly.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

