

S/L 11
15.03.2021
Court No.16
SB

WPA 6568 of 2021
(Via Video Conference)

Saroj Nandi and Others
Vs.
State of West Bengal & Ors.

Mr. Radhasyam Maiti, Advocate
Mr. Manoranjan Jana, Advocate

... for the Petitioner.

The affidavit-of-service filed in Court today, showing a copy of the writ petition had already been served at the office of the learned Government Pleader, is kept on record.

The writ petitioners by profession are fishermen and belong to below the poverty line. The writ petitioners and their family members are the holders of fisheries identity card. It is submitted that, the fishermen's licence for carrying out fishing of the writ petitioners were valid till 2017. Thereafter, the writ petitioners applied for renewal of the said licence before the respondent authorities. It is submitted that, the third respondent is the licence renewing authority. Despite necessary applications/requests being submitted by or on behalf of the writ petitioners, the necessary licence which had expired on 2017 had not been renewed in favour of the writ petitioners.

Mr. Manoranjan Jana, the learned advocate appearing for the writ petitioners drew attention of this Court at Page 76 and 78 of the writ petition wherefrom it appears that on October 28, 2019, the writ petitioners made a representation before the respondent authority which was duly received by them on October 31, 2019. Yet, the respondent authorities did not take any step either to dispose of the said representation or to renew the necessary licence.

Further by advocate's letter dated February 10, 2021 the writ petitioners served the justice demand upon the concerned respondent authorities. The same had also not been replied to nor any step had been taken thereupon.

Despite service of the writ petition being effected through the office of the learned Government Pleader, none represents the State.

In view of the above, this Court is of the considered view that justice would be sub-served if the third respondent being the appropriate authority is directed to consider the representation made by the writ petitioners dated October 28, 2019 at Page 76 of the writ petition in accordance with law.

The third respondent is accordingly directed to dispose of the said representation of the writ petitioner dated October 28, 2019 after giving an opportunity of

hearing to the writ petitioners or through their authorized representatives upon a prior notice of hearing of at least seven days being served upon the writ petitioners and then the third respondent will dispose of the representation with a reasoned order and such decision shall be communicated to the writ petitioners immediately after such disposal.

The entire exercise as stated above, must be carried out by the third respondent within a period of six weeks from the date of communication of this order.

In the light of the aforesaid, the present writ petition being WPA No. 6568 of 2021 stands disposed of.

There shall be no order as to costs.

(Aniruddha Roy, J.)