

Court No. 24
26.03.2021
(Item No. 168)
(AB)

W.P.A 7383 of 2021

Manoj Kumar Singh
Vs
The State of West Bengal & Ors.

Mr. Anirban Majumder
Mr. Somnath De
..... for the petitioner

The petitioner submits that he is running a business of manufacturing Hard Coke since 2012. The petitioner is aggrieved by the communicating memo dated 11th October, 2017 issued by the Executive Officer, Salanpur Panchayat Samity whereby the petitioner has been directed to furnish a copy of the No Objection Certificate of the Asansol Durgapur Development Authority for the purpose of renewing his trade license.

The petitioner submits that, as per law, he is not required to furnish the NOC of the Asansol Durgapur Development Authority for the purpose of renewal of his trade license.

The petitioner submits that representation had been made to the Executive Officer of the Salanpur Panchayet Samity on 4th February, 2021. He claims that the same has not been considered by the respondent authority till date.

None appears on behalf of the Panchayat Samity despite service. Affidavit of service filed in Court is taken on record.

As it appears that the representation of the petitioner dated 4th February, 2021 is pending consideration at the end of the Executive Officer, Salanpur Panchayet Samity, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent No. 8 being the Executive Officer, Salanpur Panchayet Samity to consider and dispose of the representation made by the petitioner, strictly in accordance with law, after giving him an opportunity of hearing at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representation dated 04.02.2021 to the aforesaid respondent at the time of communicating the order of the Court.

It is needless to mention that the petitioner will not run his business without obtaining the necessary trade license from the competent authority.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)