

Court No. 24

13.04.2021

(Item No. 39)

(AB)

W.P.A 8325 of 2021
(via video conference)

Dipak Kumar Das

vs

The State of West Bengal & Ors.

Mr. Samarendra Nath Biswas

..... for the petitioner

Mr. Amitava Chaudhuri

Ms. M. Chaudhuri

Mr. N. Roy

..... for Nadia Zilla Parishad

The petitioner is the existing lessee of the Tehatta Chakbehari Ferry Ghat. The period of the lease was from 15th March, 2020 to 14th March, 2021. The lease rent was Rs.26 lakh and odd.

According to the petitioner, he has suffered huge losses in view of the Covid-19 pandemic.

The petitioner made an application before the Zilla Parishad praying for extension of his lease period by a representation dated 28th December, 2020. The grievance of the petitioner is that the said representation has not been considered by the respondent authority till date.

The learned advocate for the Nadia Zilla Parishad submits, upon instructions, that the lease rent was reduced from Rs.26 lakh and odd to Rs.20 lakh and odd to compensate the petitioner for the losses that he incurred on the lockdown days of the pandemic.

It has been submitted that a fresh auction notice was published in February, 2021 but the same has been temporarily cancelled in view of the declaration of the Assembly Election, 2021. As the petitioner is the existing lessee, he has been permitted to run the Ferry Ghat, as a temporary interim arrangement, till 15th May, 2021.

It appears from the submissions of the parties that the representation of the petitioner praying for extension of the period of lease is pending consideration at the end of the respondent authority. The agreement, which the parties rely upon, in terms of which the lease rent has been reduced, has been annexed to the writ petition. The Nadia Zilla Parishad has not formally communicated to the petitioner whether they intend to extend the period of lease or to go-ahead with the fresh tender notice.

In view of the above, the instant writ petition is disposed of by directing the Sabhadhipati, Nadia Zilla Parishad, being the respondent No. 2 herein to take a decision with regard to the representation made by the petitioner, within a fortnight and to pass a reasoned order and communicate the same to the petitioner immediately thereafter.

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.)