

08.11.2021
Sl. No.3
srm

W.P.A. No. 7156 of 2018
Jayanta Kumar Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Aritra Shankar Ray

...for the Petitioner.

Sk. Md. Galib

Ms. Subhra Nag

...for the State-respondents.

None appears on behalf of the panchayat authorities.

The writ petition has been filed challenging inaction on the part of the Kankabati Gram Panchayat, District-Paschim Medinipur. It is the contention of the petitioner that the application for renewal of the trade licence which had been granted to the petitioner has not been disposed of. It is further contended that by a letter dated December 12, 2017 the Pradhan of the concerned Gram Panchayat intimated the petitioner that the renewal of trade licence could not be processed in the absence of necessary documents which the petitioner was required to provide under the law.

From the records before this Court, it appears that the petitioner by a letter dated February 1, 2018 submitted some documents. The form has also been filled up on January 8, 2018, as it appears from page 36 of the writ petition.

Mr. Galib, the learned advocate for the State respondents, submits a report from the Block Development Officer concerned, *inter alia*, stating that the petitioner was continuing some illegal activities in the premises in question, in respect of which the trade licence has been sought to be renewed. The petitioner was called by the panchayat authorities with regard to such allegations, but the petitioner did not attend the office of the gram panchayat and, accordingly, the trade licence was not renewed. The court does not make any observation on the correctness of the allegations.

Be that as it may, the petitioner is entitled to know the fate of his application for renewal of the trade licence and the panchayat authorities ought to have informed the petitioner with regard to the fate of such application.

Accordingly, the writ petition is disposed of with a direction upon competent authority of the Kankabati Gram Panchayat to intimate the petitioner the fate of the application for renewal of the trade licence.

It is made clear that this order shall not be construed as a direction upon the authorities to grant renewal of the trade licence. This order is merely a direction upon the authority to process the application in accordance with law. If it is found that the petitioner meets the criteria under the law, the trade licence shall be renewed in accordance with law. If it is found

that the petitioner does not meet the criteria and the application cannot be processed in accordance with law, the reasons shall be supplied to the petitioner.

The entire exercise shall be completed within a period of six weeks from the date of communication of this order.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)