

Item No. 336

22.09.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPCRC 65 of 2021
Ress Udyog Private Limited & Anr.
v
Madhumita Pal
in
WPA 10156 of 2020

Ms. Debjani Roy
Mr. Biswajib Ghosh
Mr. Sumitava Chakraborty
... for the petitioners.

Mr. Pratip Kumar Chatterjee
... for the contemnor.

The petitioners complain that the licence issued by the Jasohari Anukha-II Gram Panchayat in the years 2019-2020 and 2020-2021 cannot be renewed online.

The earlier licence for the period 2019-2020 and 2020-2021 was handed over in Court by the learned advocate representing the Pradhan of the Gram Panchayat. The petitioners are carrying on business on the basis of the said trade licence.

The learned advocate representing the Pradhan of the Gram Panchayat submits that as the licence is presently granted and renewed online, accordingly, the earlier licence which was issued offline in compliance of the direction passed by the Court cannot be renewed online.

It has been submitted that the petitioners may obtain fresh licence and the same may be treated as continuation of the previous licence.

In view of the aforesaid submission made by the learned advocate representing the Prodhan of the Gram Panchayat, it will be open for the petitioners to apply for fresh licence online. The licence to be granted by the Panchayat shall be treated as a licence issued on renewal of the earlier licence issued by the Gram Panchayat. There shall be no break in continuity of the business of the petitioners and the petitioners will be treated to be carrying on business on and from the first date on which the trade licence was issued in their favour.

The contempt application stands dismissed.

Affidavit-of-service filed in Court today is taken on record.

Instruction given by the Jasohari Anukha-II Gram Panchayat dated September 22, 2022 be retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)