

16.08.2021
Sl. No.15
srm

W.P.A. No. 12397 of 2021
Rabindra Kumar Singh
Vs.
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya,
Ms. Anita Shaw

...for the Petitioner.

Mr. Raja Saha,
Mr. A.K. Ghosh

...for the State.

Despite service, none appears on behalf of the Malda Zilla Parishad. Affidavit-of-service is taken on record.

The Court is not *prima facie* satisfied with the contention of the writ petition.

The petitioner alleges that the lease granted to the petitioner for operation of ferry on Nimaisarai Ghat of old Malda was terminated without any notice by an order dated September 29, 2020 issued by Additional District Magistrate & Additional Executive Officer, Malda Zilla Parishad. The reason shown is that the lease rent had not been paid within the stipulated time.

Records also reveal that subsequently the ferry ghat has been leased to another party.

Thus, having gone into the facts and circumstances of the case, no mandatory direction can be passed in this writ petition, save and except, directing the Additional District

Magistrate & Additional Executive Officer, Malda Zilla Parishad to look into the grievances of the petitioner. It does not appear from the record that the petitioner ever raised any dispute with regard to the termination order before the Zilla Parishad.

Under such circumstances, the writ petition is disposed of with liberty to the petitioner to make a composite application before the Additional District Magistrate & Additional Executive Officer, Malda Zilla Parishad, which shall be disposed of in accordance with law upon hearing the petitioner and the respondent No.6. A reasoned order shall be passed and communicated to all concerned. The entire exercise shall be completed within 8 weeks from date of receipt of the application.

This writ petition is, thus, disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)