

Item No.87

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

25.11.2021
Ct-24

WPA 10222 of 2020
Younus Ali Molla
v.
State of West Bengal & Ors.

Mr. Debabrata Saha Roy
Mr. Subhankar Das
Mr. Neil Basu
... for the petitioner.

Mr. Sagar Bandyopadhyay
Ms. Soma Kar Ghosh
... for the private respondents.

Mr. Susovan Sengupta
Ms. Supriya Dubey
... for the State.

The dispute relates to renewal of M.R. Dealership
Licence.

It has been submitted by the learned advocate
representing the petitioner and the private respondent
that the dispute *inter se* the parties have since been
amicably settled and terms of settlement have been
entered and executed by and between the parties.

The parties have settled that the petitioner i.e.
Younus Ali Molla will have 65% share in the F.P.S.
Dealership business. The existing F.P.S. business will be
run by both the parties according to their respective
shares as joint proprietorship.

The parties have also agreed that both of them will sign the agreement for renewal of F.P.S. Dealership License.

As per the settlement the petitioner paid a sum of Rs. 1,50,000/- only to the private respondent towards pending share of profit in the business. Both the parties shall have right to inspect the books of account. The profit of the business shall be shared in the ratio mentioned hereinabove (Younus Ali Molla 65% and Idrish Ali Molla 35%).

In view of the settlement arrived at between the parties the instant writ petition is disposed of by granting liberty to the petitioner and the private respondent to submit the terms of settlement along with all the necessary documents before the Sub-Divisional Controller (F & S), Canning within a fortnight from date.

The respondent no. 5 being the Sub-Divisional Controller shall take necessary steps in the matter upon receipt of the documents from the parties and renew the licence upon completion of all necessary formalities within four weeks from the date of receipt of the documents.

The interim arrangement that is subsisting shall continue for a period of eight weeks or till renewal of license, whichever is earlier.

The writ petition along with all connected applications stands disposed of.

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.)