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***CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION
(Via Video Conference)***

W.P.A. 110 OF 2021

Sri Bappa Das

-vs.-

The State of West Bengal & Ors.

Mr. Amalesh Ray
Mr. Deborshi Dhar.

....For the Petitioner

Mr. Subir Kumar Saha
Mr. Bikramaditya Ghosh.

....For the State

1. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated June 26, 2020 passed by the Sub-Divisional Officer, Sadar, Jalpaiguri rejecting his prayer for grant of a new agency in the name of 'JAPAIGURI GAS SERVICES' on the ground that the name is confusing as there was earlier a partnership in the same name.

2. Mr. Bikramaditya Ghosh, learned counsel appearing on behalf of the State submits that an appeal lies under Rule 7 of the relevant West Bengal Cooking Gas (Licensing and Control) Order, 1985 [hereafter referred to as the 'relevant control order'].

3. I have heard counsel appearing on behalf of the parties and perused the materials on record. In

my view, the order passed by the authority does not seem to be a perverse order and therefore, it does not require the interference of the Writ Court.

4. However, the petitioner is given liberty to file his appeal within the next fifteen days in accordance with law.

5. I make it clear that the observation made above should not be considered at all while considering the appeal under the relevant control order.

6. With the above direction the writ petition is disposed of. There will be no order as to costs.

7. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)