

S/L. 97.
23.09.2021
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**Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction**

W. P. A. 794 of 2021

MTC Air Liquid Pvt. Ltd.

-Vs.-

The State of West Bengal & others

Mr. Navin Barik,
Mr. Kaustuv Shom,
Ms. Esha Acharya
... for the petitioner.

Mr. Subir Kumar Saha,
Mr. B. Ghosh
... for the State.

The writ petitioner has set up a manufacturing unit at Mogradangi , P.O.- Payachari, District-Jalpaiguri, inter alia, in terms of an incentive scheme called “West Bengal Incentive Scheme of 2013 for Micro, Small and Medium Enterprises, Government of West Bengal”. Since after establishment of the factory and commencement of production the petitioner applied for benefits under the aforesaid scheme before the General Manager, District Industries Centre, West Bengal. A large number of proceedings ensued between the petitioner and the State, inter alia, before this Court. The said scheme of 2013 has since expired

and is replaced by and under the West Bengal Scheme of 2020.

Since the petitioner has already applied under the aforesaid 2013 scheme and the scheme has since expired, the petitioner's application shall be dealt with by the respondents under the new scheme of 2020 and in accordance with the provisions and rules thereof.

Any stipulation under the 2020 scheme towards time limit for any such claim shall not bar or negate the claims of the petitioner for incentive.

With the aforesaid observations, the writ petition is disposed of.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)