

06.08.2021
Sl. No.1(Jalpaiguri)
srm

W.P.A. No. 1097 of 2021

Sri Chandan Kumar Gupta & Ors.

Vs.

State of West Bengal & Ors.

Mr. Subhasish Pachal,

Mrs. Dipa Bhattacharya (Sharma)

...for the Petitioners.

Mr. Raja Saha,

Mr. Ranjit Rajak

...for the State.

Affidavit-of-service is taken on record.

The petitioners have alleged that the respondent No.7 has been carrying on a stone crushing factory without appropriate licence and permits under the law.

None appears on behalf of the respondent No.5 and the respondent No.7.

Affidavit of service is taken on record but it is inconclusive.

Mr. Raja Saha, learned Advocate appearing on behalf of the State-respondents, submits that the Block Development Officer, Madarihat, Alipurduar and the police authorities have made an enquiry into the allegations raised by the petitioners and found that the respondent No.7 was granted necessary permission and licence required to run the stone crushing factory.

Under such circumstances, no purpose will be served keeping the writ petition pending. The petitioners are directed to make a composite representation before the Block Development Officer, Madarihat, Alipurduar, the respondent No.4. The concerned Block Development Officer shall dispose of the representation of the petitioners upon hearing the petitioners as also the respondent Nos.5 and 7 and pass a reasoned order. The reasoned order shall be communicated to the petitioners.

The entire exercise shall be completed within a period of six weeks from the date of receipt of the representation of the petitioner.

It is made clear that this Court has not gone into the merits of the claims and counterclaims of the parties. The concerned Block Development Officer shall deal with the issues independently.

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.)