

18th July,
2022
(AK)
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W.P.A 1466 of 2022

Srimanta Shaw
Vs.
The State of West Bengal and others

Mr. Biswarup Biswas
Mr. Nirmalendu Bera
Mr. Gora Chand Samanta
...for the petitioner.

Mr. Samrat Sen
...for the State.

The prayer of the petitioner is two-fold. First, the petitioner seeks issue of the license for carrying on the business of a saw mill; and second, setting aside of a show cause notice issued by the Forest Ranger officer, 24 parganas South on 24.07.2021.

Learned counsel places an order of a coordinate Bench dated 25.01.2019 in W.P. 24489(W) of 2018 by which the petitioner had prayed for a direction on the concerned State-respondent to grant a license for operating a saw mill in the name of Satyam Kasth Arath. Learned counsel submits that the State has failed to take any steps in that regard even after three years and despite a representation made by the petitioner on 18.02.2020. Counsel assails the show-cause notice by submitting that the petitioner does not carry on any business of a saw mill either in the name of “Satyam Kasth Arath” or in the name of “Satyam Saw Mill”.

The learned AAAG submits that various persons including the petitioner are operating saw mills in different names. Counsel places orders of the Supreme Court by which such activity was prohibited without a valid license. It is also submitted that the petitioner's application in the name of Satyam Saw Mill as appears from page-59 of the writ petition shall be considered in sequence and as stated in a letter of the Member Secretary of the State Level Committee dated 28.12.2018.

Upon hearing learned counsel, this court is of the view that since the petitioner has given an undertaking that the petitioner is not carrying on any business of saw mill either in the name of "Satyam Kasth Arath" or "Satyam Saw Mill" or otherwise indicating the involvement of the petitioner, nothing remains in respect of the impugned show cause notice. The State-respondents should accordingly not proceed any further in terms of such notice.

The grievance that the State is not processing the application of the petitioner may be addressed by directing the concerned State authority to respond to the representation of the petitioner dated 18.02.2020. by indicating a reasonable time limit within which the petitioner's application in the name of Satyam Saw Mill shall be considered and decided. The State-respondents shall make an endeavour to consider the application preferably within five months from date.

WPA 1466 of 2022 is disposed of in terms of the
above.

(Moushumi Bhattacharya, J.)