

AD. 31.
April 27, 2022.
MNS.

WPA No. 6841 of 2022

Sagarlal Majhi @ Sagarlal Mondal
Vs.
The State of West Bengal and others

Mr. Harun-All-Rashid

...for the petitioner.

Affidavit-of-service filed in Court today be kept
on record.

Despite service, none appears on behalf of the
respondents.

Learned counsel for the petitioner restricts his
prayer to a reference of the issue raised in the writ
petition to the District Magistrate (respondent no. 3).
It is submitted that subsequent to the expiry of the
lease of the petitioner, on the request of the
respondent authorities, the petitioner continued
conducting the Ferry Ghat-in-question upon making
payment of around Rs. 2,00,000/-. However,
subsequently, the respondent authorities claimed
arrear rents from the petitioner, despite the fact that
the petitioner has not operated during the relevant
period as a lessee as contemplated in the Bengal
Ferries Act, 1885.

In view of the prayer made by the petitioner
and on the facts of the case, WPA 6841 of 2022 is
disposed of by granting liberty to the petitioner to

refer the dispute raised in the present writ petition to the concerned District Magistrate, Murshidabad, that is, the respondent no. 3 herein.

If so referred, the District Magistrate shall take appropriate steps for deciding the same in accordance with law upon hearing all the concerned parties.

It will be open to the petitioner to pray for interim relief, if permissible under the law, before the District Magistrate in connection with the dispute. If so prayed, the District Magistrate shall decide the issue without being influenced by any of the observations made herein as expeditiously as possible, preferably within two months from the date of reference.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)