

07.
12.08.2022
S.D.

W.P.A. 10202 of 2019

**Sri Saktipada Pahari
Vs.
The State of West Bengal & Ors.**

Mr. Binoy Kumar Das

... For the Petitioner.

The grievance of the petitioner is that the Saw Mill licence which was valid till 2019 was not renewed subsequently. The petitioner claims that he has submitted the application for renewal of the said licence and in spite of the fact that he is in possession of the requisite documents in support of the renewal of the said licence, the authorities have not yet renewed such licence in favour of the petitioner.

Learned advocate for the petitioner submits that the documents which are lying in the custody of the petitioner are all genuine documents and the stand taken by the respondent in the report filed in the form of affidavit that the said documents are not genuine and forged is not correct.

None appears for the State at the time of call. No accommodation has also been prayed therefor.

Since the petitioner claims that he has applied for renewal of the Saw Mill licence and also claims to be in

possession of the requisite documents in support of his claim for renewal, this Court is of the considered view that the interest of justice would be sub-served if the concerned respondent authority is directed to consider the prayer for renewal of the Saw Mill licence after giving an opportunity of hearing to the petitioner.

Accordingly, W.P.A. 10202 of 2019 is disposed of by directing the Divisional Forest Officer, Purba Medinipur, Forest Division, Chakkamina, Nimtala being the respondent no. 4 herein to consider the prayer of the petitioner for renewal of Saw Mill licence as contained in the representation dated 22.5.2019 which is appearing at page 35 of the writ petitioner and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner or his authorized representative and to communicate the decision to the petitioner thereafter.

The entire exercise is to be completed by the said respondent within a period of eight weeks from the date of communication of this order.

It will be open to the petitioner to place the documents in support of his claim for renewal at the time of hearing before such authority.

This Court makes it clear that the issue of genuineness of the documents relied upon by the petitioner as well as the claim of the petitioner is left open to be decided by the said authority.

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

(Hiranmay Bhattacharyya, J.)