

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

34
06.06.2022
Ct. No.2
b.das

**Hotel Monarch Aachal
Vs.
The State of W.B. & Ors.**

WPA 879 of 2022

Mr. Joyjit Choudhury
Mr. A. Singhal
Mr. S. Chowdhury ...for the petitioner

Mr. Hirak Barman
Mr. Momenur Rahman ...for the State.

It is contended on behalf of the petitioner that the hotel of the petitioner was requisitioned by the State respondents for the purpose of accommodation of designated doctors and medical staff associated with several hospitals during the outbreak of Covid-19 pandemic vide Order No.44/C dated 6th April, 2020 passed by the District Magistrate, Darjeeling.

Though the petitioner's hotel was derequisitioned on and from 30th July, 2020, the hotel continued to provide its service to the authorities pursuant to verbal request made by the Chief Medical Officer of Health, Siliguri.

The grievance of the petitioner is that though a portion of the amount due to the petitioner has been disbursed by the respondents an amount of Rs.1,82,58,022/- is still due.

The petitioner submitted a representation before the concerned authority in this regard on 27th March, 2022, which is yet to be disposed of.

The petitioner prays for a direction upon the authority to consider the representation at the earliest and take necessary steps for clearance of the dues.

It is submitted on behalf of the respondents that the concerned authority may be directed to consider the claim of the petitioner within a stipulated time frame.

Upon consideration of the submission made on behalf of the parties and materials on record, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 27th March, 2022 within three weeks from the date of communication of this order after giving reasonable opportunity of hearing to the petitioner in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

In the event it is found that the petitioner is entitled to the amount or for that matter, in case of entitlement of the petitioner to any amount, such amount should be disbursed in favour of the petitioner within three weeks from the date of order passed by the authority.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to

place his contention as made out in this writ petition before the authority at the time of hearing.

With the above observations and directions this writ petition being WPA 879 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)