

15.06.2022
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Item No.48

WPA No. 1127 of 2022

Mr. Sumon Sankar Chattopadhyay
Mr. A. Palit ...for the Petitioner

Mr. Subir Kumar Saha
Mrs. B. Bose ...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the Kalimpong Municipality despite service.

The petitioner claims that she runs business of cosmetics and stationeries after obtaining certificate of enlistment from the Kalimpong Municipality. The trade licence of the petitioner was lastly renewed for the year 2021-22 and was valid upto 31.03.2022. The petitioner submitted an application for renewal of the trade licence before the Kalimpong Municipality on 12.04.2022 which is yet to be considered. The petitioner has prayed for a direction upon the Municipality to consider the said application at the earliest as she is unable to carry on the business in absence of such licence.

Upon consideration of the submission made by the learned counsel appearing on behalf of the petitioner and material on record, this Court is of the view that the writ petition may be disposed of directing

the Kalimpong Municipality to consider the application of the petitioner at the earliest.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the application filed by the petitioner dated 12.04.2022 within three weeks from the date of communication of this order after affording 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 thereof.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)