OD-1 ORDER SHEET

WPO No.1191 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUMITA AGARWAL
Vs.
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 24th March, 2022.
(Via Video Conference)

Appearance:
Mr. Kalyan Bandyopadhyay, Sr. Adv.
Mr. Ramesh Dhara, Adv.
Mr. Gourav Banerji,Adv.
..for the Petitioner.

Mr. Amitesh Banerjee, Sr. Standing Counsel.
Mr. Nilotpal Chatterjee, Adv.
..for the State Respondents.

The Court:- In compliance of the direction passed by the Court on 10th March, 2022, a fresh inspection has been conducted and a report has been filed before this Court. The inspection was conducted on 17th March, 2022 and 21st March, 2022 by the District Inspection Team, Birbhum consisting of the General Manager, District Industries Centre, Birbhum, Industrial Development Officer, DIC, Birbhum and Manager (Credit), DIC, Birbhum.

The inspection report mentions that the machineries which were found at the site were in running condition. The output and performance of the machines have also been mentioned in the inspection report.

It appears from the present inspection report dated 22nd March, 2022 annexed to the report in the form of affidavit filed by the General Manager of the District Industries Centre, Birbhum in Court today that the machineries are in running condition.

Accordingly, a decision is required to be taken by the appropriate authority as to whether the petitioner will be entitled to be empanelled as per the guidelines mentioned in the notification dated 6th September, 2017.

Accordingly, the instant writ petition is disposed of by directing the Joint Secretary, Food and Supplies Department, Government of West Bengal being the respondent no.2 herein to take a decision with regard to prayer of the petitioner for empanelment of flour mills /atta chakki mill to convert wheat into fortified atta/wholemeal atta at the earliest, but positively within a period of four weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The petitioner is directed to forward copy of the orders passed by the Court on 3rd March, 2022, 10th March, 2022 and the inspection report dated 22nd March, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

It is made clear that the Court has not gone into the merits of the inspection report and the aforesaid respondent shall take an independent decision with regard to the prayer of the petitioner.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(AMRITA SINHA, J.)

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