

09.10.2023

Ct.No. 24

Sl.No. 18

Amalranjan

WPA 1334 of 2023

Rajesh Sonkar

Vs.

Kolkata Municipal Corporation & Ors.

Mr. Sujit Bhattacharjee

Mr. M Kr. Das

...for the petitioner

Mr. Gopal Chandra Das

...for the Corporation

The matter relates to licenses issued in premises no. 161, Netaji Subhas Road, Ground Floor, Room No. 16A, Kolkata –700007.

It appears that the Corporation issued the licence in favour of the petitioner and also in favour of the respondent no. 4, Munna Lal Sonkar in respect of the self-same shop room at the above address.

Both the licensees are fighting amongst themselves. A legal representation dated 14th November, 2022 was filed before the Licensing Officer, Kolkata Municipal Corporation, which is pending consideration till date.

Without entering into the merit of the case, the instant writ petition is disposed of by directing the Chief Manager, (Licence) Licence Department, the respondent no. 2 herein, to take a decision on the complaint lodged on behalf of

the petitioner in accordance with law after giving reasonable opportunity of hearing to the petitioner as well as the private respondent and pass a reasoned order and communicate the same to the parties.

Decision shall be taken by the aforesaid respondent at the earliest but positively within a period of twelve weeks from the date of communication of this order.

It is made clear that this Court has not gone into the merit of the claim of the respective parties and all points are left open to be decided by the aforesaid respondent after hearing the submissions of the respective parties. The parties shall be entitled to rely upon all documents in support of their claim.

Learned advocate for the petitioner is directed to forward the copy of the representation dated 14th November, 2022 at the time of communicating the order of this Court.

The writ petition is, accordingly, disposed of.

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

(Amrita Sinha, J.)