

28th February, 2023
(D/L No.28)
(SKB)

W.P.A. 2562 of 2023

JSW Cement Ltd. and another
Versus
The State of West Bengal and others

Mr. Rajarshi Dutta,
Mr. Rahul Dhanuka
... for the petitioners.

Mr. Debasish Ghosh,
Ms. Piyali Sengupta
... for the State.

Mr. T. M. Siddique
... for the WBIDC.

Although, learned counsel appearing for the petitioners pray for time on the ground of senior counsel appearing in the matter, counsel for the parties have agreed that the writ petition may be disposed of within a limited compass.

The petitioners' grievance relates to rejection of grant of RC Part II Certificate to the petitioners under The West Bengal State Support for Industry Scheme, 2013. The rejection appears to revolve around the IEM Acknowledgement (Part-B) which has, however, been produced by the petitioners and is a part of the record. The concerned document is dated 21st November, 2022 and is issued by the Ministry of Commerce & Industry (Industrial Entrepreneurs Memorandum Section).

The concerned authority seems to have overlooked these documents in arriving at the decision, which would be evident from the impugned order dated 6th December, 2022.

The petitioners have other points to raise in terms of Chartered Accountants and Chartered Engineers Certificates which are further required to be dealt with by the authority concerned.

W.P.A.2562 of 2023 is accordingly disposed of, as prayed for, by directing the respondent no.2 being the Director, the Directorate of Industries, West Bengal to consider the IEM document dated 21st November, 2022 with reference to the request made by the authority for the said document on 19th October, 2022 and 10th November, 2022. The respondent no.2 shall come to a reasoned decision by way of an order after hearing the authorised representative of the petitioners within two weeks from today. A copy of the reasoned order shall be made available to the petitioners within three weeks from today. The impugned order dated 6th December, 2022 is quashed. The respondent no.2 shall be at liberty of taking all other points as raised in the writ petition before the appropriate forum at the time of hearing.

(Moushumi Bhattacharya, J.)