

19.09.2023

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W.P.A. 7633 of 2016
CAN 1 of 2019 (old No. CAN 12551 of 2019)

North Bengal Tours & Travels & anr.
Vs.
Indian Tourism Development Corporation Ltd. & ors.

Mr. Siddhartha Banerjee
Mr. Arindam Paul
Ms. Parna Mukherjee
... for the petitioners

This is an application under Article 226 of the Constitution of India wherein the writ petitioners are aggrieved by an order passed by the Indian Tourism Development Corporation Limited dated January 14, 2015 whereby the claim of the petitioners has been rejected. The petitioners have assailed the said order on the basis that two relevant documents were not considered by the authority concerned dated November 18, 2008 and November 25, 2008 (pages 106 and 107 of the writ petition).

Inspite of service upon the respondent authorities, none has appeared before this Court at the time of call and also on several occasions.

Accordingly, following the doctrine of *non traverse*, I am of the view that the relief sought by the petitioners should be granted.

Accordingly, the impugned memoranda dated November 18, 2008 and November 25, 2008 are set

aside with a direction upon the respondent authorities to consider the two memoranda coupled with the representation of the petitioner dated November 5, 2014 by e-mail by granting an opportunity of hearing to the petitioners and pass a reasoned order within a period of six weeks from date. The reasoned order is to be communicated to the petitioners within two weeks from the date of passing of the same.

With the above observations, this writ petition is disposed of.

All parties are to act on the basis of *website* copy of this order.

(Shekhar B. Saraf, J.)