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jdt.

08.02.2023
jb.

W.P.A. 16678 of 2022
(Subhas Chandra Ghosh vs. State of West Bengal & Ors.)

Mr. Samiran Mondal
Mr. Abhinaba Dan
Mr. Nitish Samanta
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. P. B. Mahato
.... For the Sate

The notice issued to the petitioner under Section 8(1)(a) of the West Bengal Forest Produce Transit Rules, 1959 is assailed in the writ petition. Such notice was served to the petitioner on 2nd February, 2022. The petitioner submitted an objection to the said notice before the concerned authority immediately thereafter. But the said objection has not been considered till date. The petitioner prays for a direction upon the authority to consider the objection at the earliest.

It is submitted on behalf of the respondents that the 6th respondent be directed to consider the objection submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider the objection submitted by the petitioner within two months from the date of communication of this order upon 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.

Pending disposal of the objection, no coercive measure shall be taken by the authority against the petitioner in respect of the subject matter of the notice.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)