

ML 114
03.05.2023
Court. No. 19
GB

WPA 18912 of 2022

Sudeb Kumar Singha
Vs
The State of West Bengal & Ors.

Mrs. Pampa Dey (Dhabal)

...for the Petitioner.

*Mr. Jahar Lal De,
Mr. Rudranil De*

...for the State.

*Mr. Siddhartha Sarkar,
Mr. Manas Kumar Das,
Mr. Aritra Kumar Thakdar*

...for the Respondent No.8.

Affidavit-of-service filed in Court today, be kept with the record.

The writ petition is disposed of with a direction upon the Moynapur Gram Panchayat to comply with the direction of a coordinate Bench of this Court dated April 13, 2021, passed in WPA No.5101 of 2020 in accordance with law, upon considering the representation of the petitioner which is Annexure-P/11 at Page 79 of the writ petition.

It is made clear that the authority shall dispose of the said representation as per the direction of the coordinate Bench. The petitioner, however, does not have any locus to disturb the business of the respondent no.8. It is upto the authority to take steps, if the authority ultimately come to a finding on laws and facts that the respondent no.8 was not entitled to run the business without proper compliances. A reasoned order shall be passed and communicated to all concerned. All the parties shall be heard and all documents

shall be taken note of. The entire exercise shall be completed within two months from the date of communication of this order.

The contention of the learned advocate for the respondent no.8 that the said LPG godown had been running since 2018 and upon compliance of all statutory formalities and upon obtaining 'no objections' and clearances from all authorities, shall be taken into consideration on the basis of the documents to be produced by the respondent no.8.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)