

19.09.2023

Item No.15

Ct. No.1

PG/RP

W.P.A.(P) 495 of 2023

**Kalimpong Krishak Kalyan Sangathan & Anr.
Versus
State of West Bengal & Ors.**

Ms. Uden Bomzon

Mr. B.P. Subba.....for the petitioners

Mr. Samrat Sen, Ld. AAAG

Mr. Saikat Chatterjee

Ms. Manali Ali.....for the State

1. By this public interest litigation, the petitioners, which are a society registered under the provisions of the West Bengal Societies Registration Act seek for a direction upon the respondents to consider their representation to start the functioning of the Kalimpong Regulated Market. In this regard a representation has been submitted through their advocate on 27th June, 2023 pointing out that on account of the non-functioning of the Kalimpong Regulated Market, the farmers and the agriculturist of the locality are affected and the policies and the projects, which have been conceived and developed by the State Government is not being implemented.
2. The representation is found to have been received by the authorities.

3. We have heard the learned Assistant Additional Advocate General on the submissions made by the learned advocate for the petitioners.
4. In the light of the above, we direct the State respondent viz. the Additional Chief Secretary, Agricultural Marketing Department, State of West Bengal to consider the representation submitted by the petitioners to the other authorities and examine the prayer made by the petitioners/Society for commencing the functioning of the Kalimpong Regulated Market.
5. In order to facilitate the compliance of this direction, the petitioners are directed to submit a fresh representation to the 1st respondent along with copies of the earlier representations and other connected records and documents, which they may rely upon along with the copy of this order and place the same for the consideration of the 1st respondent.
6. The 1st respondent on receipt of the same, shall consider all aspects and take a decision on merits and in accordance with law as expeditiously as possible preferably within a period of three months from the date on which the representation is placed by the petitioners/Society before the 1st respondent in terms of the above directions.

7. With the aforesaid directions, the writ petition is disposed of.
8. No costs.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)