

S/L 12
24.8.2023
Court No.26
SD

WPA 24541 of 2016

Susanta Mondal
Vs.
The State of West Bengal & Ors.

Mr. Sounak Bhattacharyya
Ms. Dipanwita Ganguly

...for the Petitioner.

Ms. Susmita Chatterjee
Mr. Kaustav Bhattacharya

...for the Respondent Nos 8 & 9.

None appears on behalf of the State-respondent in spite of service.

I have heard Mr. Sounak Bhattacharyya, counsel appearing on behalf of the petitioner who has placed on record the impugned order dated September 16, 2016.

Upon perusal of the records and the order, it is clear that the order has passed without any application of mind.

In light of the same, the order dated September 16, 2016 is quashed and set aside.

The respondent authority is directed to grant another opportunity of hearing to the petitioner, considering the documents presented by the petitioner and thereafter pass a reasoned order after proper application of mind within a period of six weeks from date. The reasoned order shall be communicated to the petitioner within a week from the date of passing of the same.

The petitioner is directed to serve a copy of this order upon the answering respondents within a week from date.

The respondent authority shall also act as per their own submission made before a coordinate Bench which is

recorded in the order dated December 16, 2015 wherein they have submitted that they shall provide rehabilitation to the petitioner upon submission of requisite documents.

With these observations, WPA 24541 of 2016 is disposed of.

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

(Shekhar B. Saraf, J.)