

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 26924 of 2014

**Annapurna Milling Company & Anr.
Vs.
West Bengal Small Scale Industries
Development Corporation Limited & Ors.**

**For respondents : Mr. Kamal Kr. Chattopadhyay,
Mr. T. Ali**

**Heard &
Judgement on : 06.07.2023.**

Bibek Chaudhuri, J.

The instant writ petition is pending since 2014.

Last order was passed on 19th September, 2014.

The learned Advocate for the respondents is present.

It is the case of the petitioner, in brief, is that the petitioner Company was allotted a piece of land for industrial use by executing a deed of lease. The recitals (Clause 3 (b) of the lease deed) clearly stipulates that if the lessee fails to use the property for industrial purpose, the lease will expire and possession of the land will be taken over by the respondent No.1.

The learned Advocate for the respondents has filed a report with some photographs to show that till date the land has not been used for industrial purpose.

The reports dated 26th March, 2013 and 28th June, 2023 be kept with the record.

For utter violation of the conditions of the deed of lease, this Court is of the view that the petitioner has no case. Therefore, the instant writ petition is dismissed on the basis of the submissions made by the learned Advocate for the respondents.

(Bibek Chaudhuri, J.)

***Mithun De.
A.R. (Ct).
SI No.42.***