

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

WPA 174 of 2023

**Ratan Chandra Das and Ors.
Vs.
The State of West Bengal and Ors.**

Mr. Jagriti Mishra
Mr. Debayan Goswami
Mr. Subham Gupta
Mr. Reshav Kumar
Mr. Raj Kumar Mitra
..for the petitioners

Mr. Subir Kumar Saha, AGP
Mr. Bikramaditya Ghosh
...for the State

Item No. 25

Judgment on: 30.01.2023

BIBEK CHAUDHURI, J. : –

The writ petitioners are enlisted traders of Coochbehar Zilla Regulated Market Committee having their shop Nos. 376, 177 and 173 respectively. The said market was in dilapidated condition and the administration decided to demolish the said market and construct a new market Nayarhat Bazar within Mathabhanga block but the petitioners were not allotted with

any shop in the newly constructed market. Similarly placed traders were already allotted shop in the said market. Therefore, the petitioners approached the respondent No.3 time and again by making representation requesting him to allot shops in their names. The last of such representation was made on 26th August, 2022 by the petitioners. However, the respondent No.3 did not pay any heed to such prayer made by the petitioners.

It is submitted by the learned Additional Government Pleader with all his fairness that the petitioners' representations are entitled to be considered by the respondent No.3 specially when similarly placed traders were allotted with shop rooms in the said newly constructed market.

Considering the submissions made by the learned advocates of the parties the instant writ petition is disposed of directing the respondent No.3 to favourably consider the representation made by the petitioners accepting the instant writ petition as their last and final representation. The respondent No.3 is directed to come to a logical conclusion regarding the claim of the petitioners after giving an

opportunity of hearing to the petitioners within four weeks from the date of communication of this order.

The instant writ petition is, accordingly, disposed of.

There shall be no order as to costs.

(Bibek Chaudhuri, J.)