

ORDER SHEET

WPO/488/2023

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SECURE POINT SOLUTIONS PRIVATE LIMITED AND ANR.
VERSUS
WEST BENGAL INDUSTRIAL DEVELOPMENT
CORPORATION LIMITED AND ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : April 10, 2023.

Appearance:

Mr. Rajarshi Dutta, Adv.

Mr. Sujit Banerjee, Adv.

Mr. Nilay Sengpta, Adv.

Mr. Talay M. Siddiqui, Adv.

Mr. Farooque Ali, Adv.

The Court: The petitioners claim a direction on the State respondents to disburse a sum of Rs.3,20,71,635/- as recorded in a letter of the respondent WBIDC dated 31st August, 2016. This letter records that the balance amount in terms of Fixed Capital Investments Subsidy of Rs.319.87 lakhs will be processed and disbursed on the receipt of the Sales Tax certificates from the Directorate of Commercial Taxes for six financial years.

Learned counsel appearing for the petitioners submits that the petitioners are covered under the Fixed Capital Investment Subsidy, 2008 which would be evident from the letter from WBIDC dated 31st August, 2016 referred to above.

There has, however, been palpable delay in the petitioners coming to the Court. The letters relied on are of 2014 and 2016. The petitioners made representations, the last of which is of 21st June, 2021.

The respondents are represented.

Considering the materials placed before the Court, this Court is of the view that the petitioners may at best be entitled to a reasoned order from the WBIDC considering the eligibility of the petitioners under the Scheme. The respondents shall hence consider the representations made on 21st June, 2021 and pass a reasoned order after hearing the petitioners in terms of the eligibility of the petitioners for the balance amount giving particular attention to the letter issued by the respondents on 31st August, 2016.

The reasoned order shall be passed within a period of six weeks from date and a copy of the reasoned order shall be made available to the petitioners within a week from the date of the reasoned order is passed.

It is made clear that this Court has not gone into the merits of the case.

The affidavit of service is kept on record.

WPO/488/2023 is accordingly disposed of.

(MOUSHUMI BHATTACHARYA, J.)