

04.09.2024
Court No.09
Item no.32 ML
CP

WPA No. 4782 of 2024

Sinchan Traders
Vs.
The State of West Bengal & ors.

Mr. Tulshidas Ray
Mr. Tirthankar Roy
.... for the Petitioner.

Ms. J. Chakraborty
Mr. S. Adak
....for the State.

Mr. Baidurya Ghosal
Mr. Sourav Mukherjee
Ms. Anupama Biswas
.....for the respondent nos. 4 to 6.

The writ petition is disposed of with a direction upon the respondent nos. 4 and 5 to treat the writ petition as a representation of the petitioner and take necessary steps in the matter of payment of the subsidy, if the petitioner is found to be eligible.

It appears that the petitioner was asked to deliver certain goods to the respondent no.6 in accordance with a scheme. The petitioner submits that as per the order of the bank the goods were delivered. Thus, the bank was mandated under the scheme to provide the subsidy.

Learned advocate for the bank has submitted that there was a dispute between the petitioner and the respondent no. 6.

In the, prima facie, opinion of the court, if the petitioner had complied with his obligation under the scheme, there is no reason why the private dispute between the petitioner and the respondent no. 6 should be a ground for denial of the subsidy, unless the scheme provides so.

As there are certain disputed questions which are required to be answered in this matter, including the verification of invoices, delivery notes etc., the writ petition is disposed of directing the competent authority of the bank to decide the matter.

The petitioner and the respondent no. 6 will be heard. All relevant documents shall be produced in support of the claim.

The bank shall issue necessary orders, if the claim of the petitioner appears to be genuine.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)