

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 5264 of 2024

**Ashok Ghosh Lal Yadav @ Ashok Lal Yadav
-versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay.
... for the petitioner.

The Panchayat Samity issued a certificate of registration for trade of special nature for running daily market in favour of the petitioner and the same was valid from 1st April, 2023 to 31st March, 2024.

During the pendency of the said certificate, the petitioner applied for renewal of the same on 2nd February, 2024. The same is yet to be considered and disposed of.

Specific case of the petitioner is that the local MLA being the respondent no. 10 herein is standing in the way of renewal of the said certificate.

None represents the respondents.

Affidavit-of-service filed today in Court is taken on record.

As there is a provision for renewal of the certificate, the authority ought to have taken a decision upon the application for renewal made by the petitioner within the validity period of the license so that the petitioner would not have to stall the daily market on account of expiry of the certificate on 31st March, 2024.

As it appears that the prayer of the petitioner seeking renewal of the certificate of registration is pending consideration, accordingly, the instant writ

petition is disposed of by directing the respondent no. 6 being the Executive Officer and the Block Development Officer, Rotua I Panchayat Samity to take steps to consider and dispose of the prayer of the petitioner seeking renewal submitted by the petitioner on 2nd February, 2024 in accordance with law at the earliest but positively within a fortnight from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the application for renewal dated 2nd February, 2024 along with the earlier certificate of registration to the aforesaid respondent at the time of communicating the order of the Court.

As the petitioner applied for renewal of the certificate during its validity period and the respondent authority delayed in taking a decision in proper time, accordingly, the respondents are restrained from interfering or causing any disturbance in the smooth functioning of the daily market run by the petitioner till a decision is taken by the aforesaid authority.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)