

S/L 29
01.08.2024
Court. No. 551
Sourav

WPA 6879 of 2017

**M/s. Dewaki Machineries
Manufacturing Pvt. Ltd. & Anr.
Vs.
State of West Bengal & Ors.**

*Mr. Sajal Kanti Bhattacharyya
Mr. Sarthak Barman*

...for the petitioners.

*Mr. Suman Sengupta
Mr. Sambuddha Dutta
Mr. Sanatan Panja*

...for the State.

1. The affidavit-of-service as filed today is taken on record.
2. Despite service none appears on behalf of the respondent nos. 2 and 3 who are the answering respondents in the instant writ petition.
3. Learned advocate for the State is present.
4. The instant writ petition has been filed by the writ petitioners on account of non-consideration of their application for grant of subsidy by the respondent nos. 2 and 3 under the West Bengal Incentive Scheme, 2000 (hereinafter referred to as the 'said Scheme') in respect of the unit of the petitioners being situated at Saheb Bagan, Methopara, P.O. Ganga Nagar, Kolkata – 700 132.
5. On perusal of the entire materials as placed before this Court and after hearing the learned advocate for the petitioners as well as the learned advocate for the State, it appears to this Court that it is the case of the writ petitioners that the writ petitioner no. 1/company

has been registered as a Small Scale Industries Unit under the Directorate of Cottage and Small Scale Industries, Government of West Bengal and the petitioner no. 1/company is engaged in manufacturing card board box matching machineries.

6. It is the further case of the writ petitioner that in order to strengthen its business, the writ petitioners felt that an assistance and aid of the government Scheme is necessary to strengthen its business which is why the writ petitioners approached the respondent nos. 2 and 3 authorities for grant of recommendation of their business under the said Scheme. The writ petitioners made application before the respondent nos. 2 and 3 authority for grant of subsidy but till date no response has been received by the writ petitioners. It is further submitted on behalf writ petitioners that from the materials as placed before this Court, it would reveal that the business of the writ petitioners is sound and the said business is running without any hindrance and, therefore, there cannot be any predicament to receive subsidy under the said Scheme.
7. It is the further case of the writ petitioners that despite fulfilling all the requirements, the writ petitioners were not granted the subsidy under the said Scheme and accordingly, the learned advocate for the writ petitioners submits that an appropriate writ may be issued in the name of the respondent nos. 2 and 3 directing them to release the subsidy in favour of the writ petitioners as prayed for.

8. As quoted supra, the respondent nos. 2 and 3 did not turn up despite service.
9. Considering such position, this Court thus directs the respondent nos. 2 and 3 to consider the instant writ petition of the writ petitioners as a representation of the writ petitioners under the aforesaid Scheme. The respondent nos. 2 and 3 on receipt of the copy of the instant writ petition along with this order shall grant an opportunity of hearing either to the writ petitioners or to their learned advocate or to both and thereafter shall pass a reasoned order in accordance with law.
10. The entire exercise i.e., consideration of the representation, hearing and passing of the reasoned order shall have to be concluded by the respondent nos. 2 and 3 within two months from the date of communication of this order along with a copy of the instant writ petition.
11. The respondent nos. 2 and 3 are further directed to communicate its/their reasoned order to the writ petitioner by Speed Post or by email within seven working days from the date of passing of such order.
12. The respondent nos. 2 and 3 are directed to act on the server copy of this order.
13. With the aforementioned observation, the instant writ petition being **WPA 6879 of 2017** is disposed of.
14. Urgent photostat certified copy of this order, if applied for be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Sen, J.)