

02.09.2024
Item No.154
Ct. No. 7
KS

W.P.A. 7384 of 2009

**Pradip Chatterjee & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee

Mr. Jahangir Hossain

.....For the Petitioners

Ms. Oindrila Chatterjee

.....For the State

Mr. Shibasis Chatterjee

.....For the Respondent No.4

1. The petitioners have challenged the award dated 7th January, 2009 passed by the Arbitrator and Cooperative Development Officer, Murshidabad being the respondent no.3 in Dispute Case No.01 of 2008-09.
2. The learned advocate appearing for the petitioners submits that the petitioners are entitled to an exemption as per the relevant scheme. The grievance of the petitioners is that till date, no decision on such application has been made. It appears from the record that such application was made sometimes in the year 2008.
3. In view thereof, W.P.A. 7384 of 2009 is disposed of by giving opportunity to the petitioners to submit a fresh representation claiming exemption under the relevant

scheme before the appropriate authority and if such representation is submitted, the appropriate authority shall consider and dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioners or their authorized representative and communicate the reasoned decision to the petitioners.

The entire exercise shall be completed within a period of eight weeks from the date of receipt of such application along with a server copy of this order.

4. It is, however, made clear that this Court has not gone into the merits of the claim of the petitioner.
5. There shall be no order as to costs.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)