

29.07.2024
Court No.09
Item no.15
CP

WPA No. 22617 of 2022

Surya Narayan Agro Private Limited & anr.
Vs.
The State of West Bengal & ors.

Mr. Uttiya Ray
Mr. Arnab Mandal

....for the petitioners.

Mr. Sk. Md. Galib
Mr. Safik Dewan

.....for the State.

The petitioner no. 1 is a micro, small and medium enterprise. The petitioners claim incentive under the West Bengal Incentive Scheme, 2013. The petitioners submit that the authority denied such incentive, without any reasons.

Mr. Galib, learned advocate for the State respondents submits that the incentive was denied to the petitioners as the petitioners could not submit some relevant documents, despite repeated requests by the authority.

The petitioners submit that the documents were furnished, but the authority ignored the same.

This disputed question cannot be gone into by the writ court. The communication from the authority indicates that the petitioners were asked for some documents. The incentive scheme under which the petitioners had applied, required that the documents must be furnished.

An incentive can be provided if the party claiming such incentive, fulfils all parameters and requirements.

The question whether all documents, to the satisfaction of the authority, and as per the incentive scheme were furnished by the petitioners or not, cannot be gone into by this court.

Under such circumstances, the writ petition is disposed of with a direction upon the General Manager, District Industries Centre, Purba Burdwan to treat the writ petition as a representation of the petitioners and dispose of the same, in accordance with law, on the basis of the records available, and also on the terms and conditions of the scheme. A hearing shall be granted to the petitioners and any other authority as may be required.

The petitioner will be communicated with a reasoned order within a period of three months from the date of communication of this order.

This court has not gone into the merits of the claims and counter-claims of the parties. The writ petition is accordingly disposed of.

There shall be no order as to costs.

All parties are to act on the basis of server copy of this order.

(Shampa Sarkar, J.)