

26.11.2024
Sl. No.159
Ct. No.15
S.A.

WPA 27748 of 2024

Nimai Chandra Sahoo

-vs-

The State of West Bengal & Ors.

Mr. Pratip Kumar Chatterjee

Ms. Maitrayee Chatterjee

...for the petitioner

Mr. Somnath Ganguli

Ms. Kalpita Paul

...for the State

Let the affidavit of service filed by the petitioner
be kept on record.

The petitioner submits that he has been
operating a business, "Nylon Bag and Tripal Centre,"
at Holding No. 76, Kasba Egra, Egra, Ward No. 7,
Purba Medinipur, since 1993 with a trade license from
Egra Municipality.

He challenges an order dated November 11,
2024, passed by the Egra Municipality, whereby his
trade license has been cancelled.

The relevant part of the said order is quoted
below:

“In spite of our reminder letters
quoted above, upon you, you have failed
to produce Rent Receipt and Agreement
copy with the present owner of the land
which are essential requisites to renew
license permit to run the business namely
“Suta Mahal”.

Hence, Trade License in respect of
your business “Suta Mahal” is here by
cancelled. Further course of action will
follow usual Govt. Rules.”

Learned counsel for the petitioner submits that the order was passed without providing the petitioner an opportunity to be heard and without considering the documents submitted by the petitioner to the Chairman of the Egra Municipality on November 6, 2024.

No one appears on behalf of the Egra Municipality.

Although learned counsel for the petitioner submits that he contacted Mr. Debasish Das, learned counsel for the Municipality, to inform him about the hearing of this case, Mr. Das could not appear before the Court when the matter was called.

In light of these circumstances, I set aside the order dated November 11, 2024. The Chairman of the Municipality is directed to issue a fresh notice to the petitioner regarding the renewal of his license.

On the date fixed for the hearing, the petitioner shall be at liberty to produce the necessary documents required for the renewal of the license. After hearing the petitioner and considering the documents submitted, the Municipality shall pass a fresh order regarding the renewal of the license.

It is made clear that I have not examined the merits of the case. The renewal of the license shall be considered by the Municipality in accordance with the applicable law.

Accordingly, **WPA 27748 of 2024** is disposed of.

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

(Kausik Chanda, J.)