

WPA 8115 of 2020

Dinesh Kundu

Vs.

The State of West Bengal & Ors.

Mr. Soumik Ganguli,

Ms. Chandana Chakraborty.

... for the petitioner

The writ petitioner is a license holder in respect of a Country Spirit Shop at Nikunjapur Gram Panchayat, Mouza Nikunjapur, J.L. No. 115, Plot no. 208, Khatian No. 170 under Police Station and Block-Onda, District Bankura. He is aggrieved with the alleged inaction of the respondent authorities, particularly the respondent no. 2, in responding to the recommendation made by the Additional District Magistrate (Development) and Controller of Excise, Bankura dated 13.02.2018.

The matter relates to the petitioner's prayer seeking shifting of his place of business from the address as mentioned above to a new site at, Mouza Sirsara, J.L. No. 284, Plot No. 5, Khatian No. 254 under Gram Panchayat Kostia, P.S. Beliatore, District Bankura.

Since even after the recommendation of the above authority being made for such shifting vide its letter dated 13.02.2018, the respondent no. 2/ The Excise Commissioner, has remained silent as regards the prayer of the writ petitioner. The writ petitioner has submitted his representation dated

18.06.2019 before the Superintendent of Excise/respondent no. 4.

No one is appearing for the respondent authorities today when the matter is called. No affidavit has been filed by the respondent authority.

Considering the above, this Court finds it proper to dispose of this writ petition, in absence of the respondent authorities, with the directions as below.

Let the respondent no. 2/the Excise Commissioner consider and dispose of the representation of the writ petitioner dated 18.06.2019, by a reasoned order. In doing so, the respondent no. 2 shall afford opportunity of hearing to the writ petitioner with liberty to him to submit documents as necessary, including the letter of recommendation of the Additional District Magistrate (Development) dated 13.02.2018.

The entire exercise as above, by the respondent no. 2, shall be concluded within a period of four weeks from the date of communication of copy of this order, to the office of the respondent no. 2. For this purpose, server copy of the order would suffice.

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

(Rai Chattopadhyay, J.)