

05.05.2025
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Ct.No.7
sdas

WPA 23746 of 2022

Edifice Healthcare Pvt. Ltd. & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Asimes Goswami
.....for the petitioners

Ms. Amrita Panja Moulick
..... for the State

Citing inaction on the part of the concerned respondents in considering the petitioners' representation dated 20th August, 2022, the present writ petition has been preferred.

Mr. Goswami, the learned advocate representing the petitioners, submits that during the COVID-19 pandemic, the petitioners' premises were requisitioned under the relevant provisions of the Disaster Management Act, 2005, and were utilized for operating a COVID hospital. However, no rent was paid for the use of the premises, and the hospital ceased operations at the said location thereafter. The outstanding amount has accumulated to Rs. 6,41,65,420/-. It is further submitted that the petitioners made several representations to the concerned authorities, but

since these representations did not evoke favourable response, they were compelled to file the present writ petition. The petitioners now seek an appropriate direction for the concerned authorities to make a decision on their pending representations.

Ms. Panja Moulick, the learned advocate representing the State, submits that the State has no objection if the writ petition is disposed of with a direction to the competent authority to consider the petitioners' representation.

Having heard the learned advocates representing the respective parties and after reviewing the materials on record, the writ petition is disposed of with a direction upon Respondent No. 2 to consider the petitioners' representation dated 20th August, 2022, after providing the petitioners an opportunity of hearing. If Respondent No. 2 finds merit in the petitioners' claim, necessary steps should be taken to ensure that the outstanding amount is released in favor of the petitioners. However, if Respondent No. 2 concludes that the petitioners' claim lacks substance, a reasoned order should be passed, and the same shall be communicated to the petitioners.

Entire exercise shall be carried out within a period of eight weeks from the date of receipt of copy of this order.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)