

11.11.2025
Ct. No.3
Sl. No.15
sayandeep

W. P. A. 25335 of 2024
(C. A. N. 1 of 2025)

[The Agarpara Company Limited & Anr. -Vs- The State of West Bengal & Ors.]

Mr. Sakya Sen, Sr. Adv.
Mr. Nirmalya Dasgupta
Mr. Jaydeb Ghorai
Mr. diptesh Gorai
... ... for the petitioners

Mr. Arindam Banerjee .. Sr. Advocate
Mr. S. Mukherjee
Mr. Deepan Sarkar
Mr. Biswajit Kumar
Mr. Aayush Lakhotia
... ... for respondent no. 9

Mr. Soumyajit Bhatta
... ... for respondent no.3
[Panihati Municipality]

Mr. Soumya Banerjee
Ms. Sucheta Banerjee
... ... for respondent no.7
[Kamarhati Municipality]

Mr. Sushovit Dutt Majumder
Mr. S. Dasgupta
Mr. S. Dandy
Ms. Rajeshwari Prasad
Mr. Sagnik Shaw
... ... for the applicant
[CAN 1 of 2025)

1. The petitioners have approached this Court and claimed that the certificate of enlistment granted by Panihati Municipality, 24 Parganas North in favour of Regent Vinimay Private Limited for carrying on the business from holding No. 8/11 and premises No. 28 B.T. Road Kamarhati, North 24 Parganas for manufacturing of jute goods and trade is without jurisdiction as according to the petitioners, Panihati Municipality did not have the competence to issue such

certificate on enlistment as the jute mill in question does not fall within the territorial jurisdiction of Panihati Municipality. Though the petitioner No. 2 claims to be the director of the petitioner No. 1, however, Mr. Dasgupta learned advocate appearing for the applicants in CAN 1 of 2025 would submit that the applicants are entitled to represent the petitioner No. 1 and the petitioner No. 2 has no authority or locus to represent the petitioner No. 1. According to him, there is an arrangement for running of the jute mill of the petitioner No. 1 with Regent Vinimay Private Limited and for reasons whereof, the aforesaid certificate of enlistment had been issued.

2. Mr. Banerjee, learned sr. advocate representing the respondent No. 9 would submit that he has been running the jute mill without any interruption.

3. Mr. Sen, learned sr. advocate representing the petitioners would, however, submit that it is not in dispute that the certificate of enlistment was wrongly issued by the Panihati Municipality and such fact has been admitted by the Panihati Municipality vide communication dated 29th October, 2024 which fact is also recorded in the order dated 28th October, 2025. According to him, though a communication has been issued, the actual cancellation of certificate of enlistment is not on record. He insists that appropriate directions may be issued for cancellation of certificate of enlistment.

Mr. Sen, however, disputes the contention of Mr. Dasgupta and Mr. Banerjee insofar as the challenge to the locus of the petitioner No. 2 to represent the petitioner No. 1 is concerned. Mr. Sen also disputes that the Regent Vinimay Private Limited

the respondent No. 9 is running the said jute mill. Mr. Sen, learned sr. advocate would add that the disputes between the parties are being adjudicated before a civil forum.

4. Mr. Banerjee, learned sr. advocate representing the respondent No. 9 would at this stage submit that prior to the cancellation of the certificate of enlistment, the certificate of enlistment for the previous periods had been issued in favour of the respondent No. 9 by the Panihati Municipality. The cancellation was without opportunity of hearing to the said respondent. The same could not have been done. In any event, he reserves his right to take appropriate recourse to the same.

5. Mr. Bhatta, learned advocate representing the Panihati Municipality would, however, be candid enough in submitting that since it was detected that Panihati Municipality does not have the authority to issue such certificate of enlistment, to correct such error, the same has been cancelled.

6. Mr. Banerjee, learned advocate representing the Kamarhati Municipality would, however, add that the major part of the jute mill of the petitioner No. 1 falls within the territorial limits of Kamarhati Municipality. According to him, it is the Kamarhati Municipality which had all along issued the certificate of enlistment for running the jute mill.

7. Having heard the learned advocates appearing for the respective parties, I am of the view, it shall not be prudent to enter upon the disputes inter se between the petitioner No. 2 and the private respondents. Since learned advocate for the Panihati Municipality on instructions by placing before this Court the communication dated 29th October, 2024 has already submitted

that the certificate of enlistment dated 7th August, 2024 issued in favour of Gouri Shankar Sharma, Director of Regent Vinmay Private Limited stands cancelled, I am of the view, nothing survives in the writ petition. The aforesaid shall, however, not interfere with the rights of the affected parties to take recourse to the order of cancellation, if they have any.

8. The writ petition is accordingly disposed of.

9. The connected application being Can 1 of 2025 where in a prayer for dismissal of the writ petition has been made, having regard to the subsequent development has become infructuous and is accordingly disposed of.

10. It is made clear that the issues made in the connected application have not been decided in the present writ petition.

(Raja Basu Chowdhury, J.)