

OD-2&3

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/357/2024
IA NO: GA/1/2024

WEST BENGAL INDUSTRIAL DEVELOPMENT CORPORATION LIMITED
VS.
ELECTROSTEEL CASTINGS LIMITED AND ORS.

WITH

APOT/213/2024
IA NO: GA/1/2024

THE STATE OF WEST BENGAL AND ANR.
VS.
ELECTROSTEEL CASTINGS LIMITED AND ORS.

BEFORE :

THE HON'BLE THE CHIEF JUSTICE T.S. SIVAGNANAM
AND

THE HON'BLE JUSTICE CHAITALI CHATTERJEE (DAS)

Dated : 26TH MARCH, 2025

Appearance:

Mr. T. M. Siddiqui, Adv.
Mr. Tanay Chakraborty, Adv.
Mr. Suddhadev Adak, Adv.
..for the WBIDCL

Mr. Debangshu Dinda, Adv.
...for State

Mr. Arif Ali, Adv.
Mr. Prabhat Kr. Srivastawa, Adv.
Ms. Ankita Singh, Adv.
...for Respondents

THE COURT: Both these appeals have been preferred against the order dated 25th September 2023 in WPO 2336/2022. The appeal filed by West Bengal Industrial Development Corporation Limited is time barred and there is a delay of 346 days. The appeal filed by the State of West Bengal is also time barred and there is a delay of 208 days.

Considering certain subsequent developments and also being satisfied with the reasons given, the delay in filing both the appeals is condoned.

We have heard Mr. Tanay Chakraborty, learned Advocate appearing for WBIDCL, Mr. Debangshu Dinda, learned Advocate appearing for the State and Mr. Arif Ali, learned Advocate appearing for the respondents.

The learned Single Bench in the impugned order had directed the respondent No.2, namely, the Director of Industries to reconsider, in the light of the observations made in the impugned order, the application for amendment of Registration Certificate filed by the writ petitioners which was refused by the decision impugned in the writ petition by taking into consideration all the documents produced by the writ petitioners on such score. The respondent No.2 was directed to pass a reasoned order within a time-frame. During the pendency of this appeal, the respondent No.2 has complied with the direction and passed a reasoned order on 30.10.2024, by which it was held that the writ petitioner is not eligible for registration certificate under the West Bengal Incentive Scheme, 2004 and the Registration

Certificate which was issued on 4.3.2005, subsequently amended by order dated 20.1.2006, was cancelled and revoked.

In the light of the fact that the authority has already complied with the order and a decision has been taken, nothing would survive in both the appeals to be decided.

It is well open to the respondents/writ petitioners to challenge the decision of the Director of Industries, West Bengal dated 30.10.2024 in the manner known to law.

With the above observations, the appeals stand disposed of.

The legal issues which have been raised in these appeals are left open.

The connected stay applications are also disposed of.

(T.S. SIVAGNANAM, CJ.)

(CHAITALI CHATTERJEE (DAS), J.)