

(2007) 07 CAL CK 0065
In the Calcutta High Court
Case No : Writ Petition No. 5140 (W) of 2007

Himangshu Maity and Another	Vs	APPELLANT
State of West Bengal and Others		RESPONDENT

Date of Decision : 02-07-2007

Acts Referred:

Citation : (2007) 3 CHN 692

Hon'ble Judges : Soumitra Pal, J

Bench : Single Bench

Advocate : Nirmalya Biswas, for the Appellant;

Judgement

Soumitra Pal, J.—Let affidavit of service filed in Court today be kept with the records.

2. In spite of service none appears on behalf of the respondents.

3. In the writ application, the petitioner has prayed for a direction upon the respondents to renew the licence regarding storage and sale of mohua flowers for the year 2007-08. Submission has been made that though the petitioner has all along complied with all formalities and has carried out the business in accordance with law, yet the respondents for the reasons best known to them are accepting the application for renewal of licence for the year 2007-08.

4. Having heard the learned Advocate for the petitioner and considering the facts and circumstances of the case, the writ petition is disposed of by directing the ADM-cum-Collector of Excise, Paschim Midnapore, the respondent No. 3, to accept the application from the petitioner for grant of renewal of licence regarding storage and sale of mohua flowers for the year 2007-08 unless it is prohibited by any official order. If there is prohibition pursuant to any official order, that shall be communicated to the petitioner within a fortnight from the date of making such application. On the contrary, if there is no prohibition, the respondent No. 3 shall accept the application and shall process the same in accordance with law and shall grant permit upon compliance of all formalities.

5. There will be no order as to costs.

6. Let urgent xerox certified copy of this order, if applied for, be furnished to the petitioner on priority basis.