

1st March, 2023
(D/L No.13)
(SKB)

W.P.A. 4412 of 2023

Jubilant Foodworks Limited and another
Versus
The State of West Bengal and others

Mr. Soumya Majumdar,
Mr. Shounak Mitra,
Ms. Shivangi Thard

... for the petitioners.

The affidavit of service is taken on record. It shows that the answering respondent, which is the respondent no.2, was served on 24th February, 2023. Today the respondents are not represented.

The petitioners have assailed an impugned order of 14th December, 2018 issued by the respondent no.2 being the Howrah Zilla Regulated Market Committee and a notice received by the petitioners dated 15th February, 2023 asking the petitioners to appear before the learned 7th Judicial Magistrate, Howrah on 3rd March, 2023. The document appended to the notice indicates that a warrant of arrest order may be executed on the petitioners failing to appear before the Court.

Learned counsel appearing for the petitioners shall serve the respondents once again and file affidavit of service on the next date of hearing.

List this matter on 6th March, 2023.

Since the petitioners are before this Court on a point of law, namely, whether any action can be taken against the petitioners under the 1972 Act, the Regulations and Guidelines, the petitioners should be given an opportunity to place their case before any action is taken against the petitioners.

The summons issued to the petitioners dated 15th February, 2023 shall kept in abeyance until the court hears the matter on 6th March, 2023.

(Moushumi Bhattacharya, J.)