

13th January,
2021
(AK)
19

W.P.A 721 of 2021

Sri Chandan Samanta
Vs.
The State of West Bengal & Ors.

Mr. Supriyo Ray Chowdhury
Ms. M. Ray Chowdhury
...For the Petitioner.

Mr. Suman Sengupta
Mr. Sanatan Panja
.....For the State.

The petitioner complains that, despite having given representations for conversion of the petitioner's shop to a Foreign Liquor Off Shop from a "50 degree Up Rum beer Shop", the respondent authorities are sitting tight over the matter.

Such representations of the petitioner are annexed at page-16 and page-18 of the writ petition.

Learned counsel for the petitioner places reliance on Rule 4(b) of the West Bengal Excise (Selection of New Sites and Grant of License for Retail Sale of Liquor and Certain Other Intoxicants) Rules, 2003 as well as Rule 13(3) of the said Rules to argue that the petitioner is entitled to such license.

Learned counsel for the petitioner also cites an unreported judgment dated January 30, 2017 passed by

a coordinate bench in W.P. No. 28097 (W) of 2013, where the scope of grant of such license was elucidated.

However, since an adjudication on the merits of the petitioner's contentions would be a premature exercise at this juncture, W.P.A. 721 of 2021 is disposed of by directing the respondent no. 3 to consider the representations of the petitioner, annexed at page-16 and 18 of the present writ petition, within a fortnight from date, if necessary upon asking the petitioner to furnish requisite documents in support of his representation, and to intimate the decision arrived at by respondent no.3 on the representations to the petitioner at the earliest thereafter.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)