

S/L 33
13.12.2021
Court No.13
SD

WPA 2639 of 2021
(Via Video Conference)

Hotel Green View & Anr.
Vs.
State of West Bengal & Ors.

Ms. Sanghamitra Nandy

...for the Petitioners.

Mr. Anirban Ray

Mr. Raja Saha

Mr. Debasish Ghosh

...for the State.

The petitioners are aggrieved by the refusal of grant of bar licence to their restaurant under Kalyani Municipality.

The ground for refusal is that, within 1000 ft. of the proposed outlet, there is in existence a Veterinary Research Institute sponsored by ICAR, Government of India.

Counsel for the petitioners argues that under the provisions of the RTI Act, it has been informed that there is no functional Veterinary Research Institute and there is only vacant land. Placing reliance of the aforesaid documents, the petitioners have submitted that the rejection of their excise licence is arbitrary.

Counsel for the State produces a document dated August 10, 2013 where a signature of the Officer-in-Charge, Veterinary Firm, Kalyani is shown to indicate that there is no Veterinary Institute thereat. The Indian Veterinary Research Institute has vehemently denied that any of their Officers or Members issued or signed in such communication. By further communication dated October 8, 2013, detailed

reasons were given for refusing bar licence of the petitioners.
The letters produced by the State are taken on record.

This Court notes that the rejection order dated November 28, 2019 is with appropriate reasons and lawful and calls for no interference.

The writ petition therefore fails and is hereby dismissed.

There will be no order as to costs.

(Rajasekhar Mantha, J.)