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2021

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
(Via Video Conference)**

W.P.A. No.4171 of 2021

**Dipankar Bhandary
Versus
The State of West Bengal and others**

Mr. Krishnendu Sarkar,
Mr. Abhijit Mandal,
Ms. M. Das.

...for the petitioner.

Mr. Abhratsh Majumdar,
Mr. Avra Majumdar.
...for the State.

Learned counsel for the petitioner argues that, despite the D.E.C. Magrahat Range, Superintendent of Excise, Diamond Harbour Excise District having opined in favour of grant of regular license to the petitioner, who is at present holding temporary license to run a “restaurant cum bar” and the Additional District Magistrate having forwarded the same, the respondent nos.1 and 2 have been sitting tight over the grant of regular license to the petitioner.

Learned counsel for the petitioner relies on Rule 9 (D) of the West Bengal Excise (Selection of New Sites and Grant of License for Retail Sale of Liquor

and Certain Other Intoxicant) Rules, 2003 in support of his submission.

Learned senior counsel appearing for the respondent-authorities, in his usual fairness, agrees to consider the said application of the petitioner for grant of regular license. However, twelve weeks' time is sought in view of the impending elections.

As such, WPA 4171 of 2021 is disposed of by directing the respondent no.2 and thereafter respondent no.1 to decide on the application of the petitioner for grant of regular license in accordance with law within twelve weeks from date positively and to intimate the decision thereon to the petitioner as expeditiously thereafter as possible.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)