

S/L 14
09.11.2021
Court. No. 19
GB

WPA 6422 of 2021

Kaushalya Rani Charity Trust
Vs.
The Kolkata Municipal Corporation & Ors.

(Through Video Conference)

*Mr. Supriya Chattopadhyay,
Mr. Sudip Kumar Maiti..*

...for the Petitioner.

*Mr. Achintya Kumar Banerjee,
Mr. Tarun Chatterjee,
Ms. Indumouli Banerjee.*

...for the K.M.C.

Mr. Bipin Ghosh.

...for the State.

Md. Farhaduddin.

...for the Respondent No.8.

Copies of the trade licensees are taken on record.

The corporation has filed a report upon inspection from which it appears that four businesses are being run by Mrs. Carol Dixon under four different Certificates of Enlistment in the name of Sher-E-Punjab. That Mr. Sukhdev Singh is running a Medicine Counter along with cold drinks, chocolate and biscuits and the Certificate of Enlistment under the name "Family" had been given to Mr. Hajinder Singh for tailoring business which has not been operating.

It further appears from the report that respondent nos.7 and 8 are not running any separate eating houses. It has been specifically stated that Mrs. Carol Dixon has obtained Certificates of Enlistment for running two Eating

Houses, one Fast Food Centre and one Snacks Bar. These businesses have been running for sometime and the trade licence in the name of Sher-E-Punjab, which is being carried on by Mrs. Carol Dixon, as per the corporation records was lastly renewed on April 20, 2021. Whether the respondent no.8 has entered into an agreement with Mrs. Carol Dixon to run Sher-E-Punjab is not a matter to be decided in this proceeding.

It is made clear that apart from the businesses, which are being run as Eating Houses, Snacks Bar and Fast Food Centre under proper Certificates of Enlistment, no other eating house shall be run from the said premises in question. If in future it is found that the respondent nos.7 and 8 are continuing illegal businesses without any Certificate of Enlistment and licence from the corporation and other authorities, the petitioner shall always be at liberty to raise the issues before the corporation in accordance with law and pray for such direction for stoppage of such business if permissible under the law.

As no affidavits have been called for, allegations are deemed to be denied.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)