

Item No.192

01.12.2021
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 18666 of 2021
Rabi Dutta
v.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Bose
... for the petitioner.

Mr. Sanjib Mitra
... for the private respondent.

The license holder expired on October 24, 2021.
The heirs of the licensee are fighting amongst themselves
for obtaining the licence on compassionate ground.

The petitioner submits that an application has
been made before the authority concerned. Prayer has
been made for directing the respondent authority to
consider the said application.

Admittedly, the said application was filed without
obtaining the requisite no-objection certificate from the
other heirs. The said application was also not made in
the prescribed format.

That being the position the authority cannot be
directed to consider such an incomplete application.

No relief can be granted to the petitioner in this writ application.

The writ petition fails and is hereby dismissed.

It will be open for the respondent authority to take steps in accordance with law.

The heirs and legal representatives of the deceased licensee will be at liberty to take proper steps in accordance with law, if so advised.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

Sh

(Amrita Sinha, J.)