

77
23.08.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 6046 of 2022

**Kartick Kumar Ghosh
-versus
The State of West Bengal & Ors.**

**Mr. Biswajit De,
Ms. Rajlakshmi Ghatak.
...For the Petitioner.**

**Mr. S. Banerjee,
Mr. A.K. Nag.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the Pradhan in spite of service.

The petitioner's prayer for issuance of trade license for setting up of Foreign Liquor on Shop Restaurant-cum-Bar is pending consideration at the end of the Pradhan, Bhagabantapur-II, Gram Panchayat.

The petitioner submits that the Pradhan on 4th March, 2013 had already issued 'no objection', if the premises of the petitioner is used for the foreign liquor on shop subject to following conditions which are to be imposed by the concerned authorities.

Thereafter, the trade license has not been issued in favour of the petitioner.

Reliance has also been placed on the communication made by the Superintendent of Exercise, Paschim Medinipur Excise District to the petitioner requiring submission of the current trade license/certificate of enlistment for taking further necessary action in the matter.

As it appears that the petitioner's prayer for issuance of trade license is pending consideration at the end of the Pradhan, accordingly, the instant writ petition is disposed of by directing the respondent No. 4 being the Pradhan, Bhagabantapur-II Gram Panchayat to consider the prayer of the petitioner in accordance with law, at the earliest, but positively within a period of six weeks from the date communication of a copy of this order.

The aforesaid respondent shall afford a reasonable opportunity of hearing to the petitioner and all other necessary parties prior to taking a decision in the matter.

The aforesaid respondent shall pass a reasoned order and communicate the same to the parties including the petitioner, immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representation dated 2nd March, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)