

11.08.2022
Court No. 19
Item no.129 (ML)
CP

W.P.A. No. 14371 of 2022

Sri Bhuneswar Prasad Shaw
Vs.
The State of West Bengal & ors.

Mr. Kunal Ganguly
Mr. Tirupati Mukherjee
...for the petitioner.

Mr. Amitesh Banerjee
Mr. Tarak Karan
...for the State.

The petitioner alleges harassment by the Officer-in-Charge, Baraboni Police Station and the Officer-in-Charge, Jamuria Police Station.

Mr. Banerjee, learned senior standing counsel, submits on specific instructions from the police authorities that the writ petition has been filed on baseless allegations. The petitioner wants to preempt the police authorities from acting and proceeding in accordance with law, as and when the situation so demands.

It appears that the petitioner has been granted a licence under Section 116 of the West Bengal Panchayat Act, 1973 for carrying on a trade and/or business which has been declared by the State Government as offensive and dangerous vide Notification dated December 21, 2004. The description of the trade and business is:- 'Civil

Contractor and General order supplier and Transport Contractor and similar type'. The said licence is valid upto March 31, 2023.

Under the facts and circumstances, stated hereinabove, if the petitioner continues his business in accordance with law and without violation of any rules, the police authorities shall not unnecessarily harass the petitioner.

However, this order shall not prevent the police authorities from taking steps in accordance with law, in case there is any information with regard to commission of any offence.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)