

10.05.2022.
Item No. 25.
Court No.13
ap

W.P.A. No. 21228 of 2021

**Sri Jeetendra Kumar Chowdhury
Versus
The State of West Bengal & Ors.**

Ms. Madhumita Roy Chowdhury.

..For the petitioner.

Mr. Mainak Ganguly,
Mr. Abhishek Singh.

...For the respondent no.4.

The writ petitioner is aggrieved by a communication dated 19th August, 2021 issued by Superintendent of Excise, Chandanagore Excise District asking the petitioner to deposit licence registration fees and no objection from other heirs of Late Rambilas Chowdhury, the respondent no.4.

The respondent no.4 has refused to issue no objection certificate. The petitioner is, therefore, not entitled to succeed to the licence of Late Rambilas Chowdhury automatically.

In any event, the petitioner has alternative remedy in the form of appeal under rule 2 of Rules framed under Section 85 of the Excise Act.

This court is unable to appreciate as to how the matter has been listed on priority basis despite no urgency whatsoever as evident in the matter. There is no endorsement of the Officer of this Court for such urgent listing.

In that view of the matter, the instant writ petition shall stand dismissed with costs assessed at Rs.7,500/- payable by the petitioner to the State Excise Authorities. Payment of costs shall be condition precedent before consideration of any appeal by the Excise Authorities.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)