

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA No. 15017 of 2023

**Kakali Khan
Vs.
Bharat Petroleum Corporation Ltd. & Ors.**

**For the petitioner : Mr. Debabrata Saha Roy,
Mr. Subhankar Das,
Mr. Neil Basu.**

**For respondent
Nos.9, 10, 11, 12 & 13. . : Mrs. Sonal Sinha,
Mr. Pritam Chaudhury.**

For the B.P.C.L. : Mr. Puspendu Chakraborty

**Heard &
Judgement on : 03.07.2023.**

Bibek Chaudhuri, J.

Practically there is no inter se dispute between the parties in the instant writ petition. Indisputably the petitioner was granted L.O.I. by respondent No.1 being represented by respondent Nos.2, 3, 4, 5, 6, 7 and 8. After granting the letter of intent, the land on which the petitioner wanted to construct a godown was not characterized as a Vastu land. She had to take permission of Asansol Durgapur Development Authority. The permission was duly granted. After

getting the permission, the petitioner made an application under Section 4C of the West Bengal Land and Land Reforms Act for conversion of the land before the jurisdictional BL & LRO. The order of conversion was issued on 31st March, 2023 but it was handed to the petitioner on 28th April, 2023. Thereafter, the petitioner applied for necessary permissions of fire department, explosive department etc. and applied for GST registration in respect of her proposed business. It is expected that the petitioner will get all such permissions within a short period of time.

It is submitted by the learned Advocate for the petitioner that as the date of commissioning was going on to expire, the petitioner filed WPA No.7673 of 2023. The said writ petition was disposed of on 4th April, 2023 with the following direction:-

“Hence, the petitioner is given liberty to commission the LPG distributorship within three months from today. The submission made on behalf of the petitioner that the petitioner would require more time since the petitioner would have to obtain the sanctioned plan from the local authority is considered and rejected.”

However, the fact remains that within the said period construction of godown is complete. It is the case of the respondent Nos.1 to 8 that the respondents cannot sit idle for an unlimited period of time regarding commencement of sale of LPG cylinder. Therefore,

by an order dated 11th May, 2023 the petitioner was directed to complete the job of construction of godown and showroom along with compliance of all statutory licence and documents required for commissioning of the distributorship of the petitioner on or before 3rd July, 2023.

It was also informed to the petitioner that vide a letter dated 11th May, 2023 that in case of failure on the part of the petitioner to complete the job on or before 3rd July, 2023, no further extension will be given and LOI will be withdrawn with immediate basis.

Learned advocate for the State of West Bengal, on the other hand, has submitted a letter dated 29th June, 2023 stating, inter alia, that permission for sale of LPG cylinder shall be granted by the District Magistrate, Paschim Burdwan in favour of the petitioner after the ensuing Panchayat election in accordance with law. It is not disputed that the result of the Panchayat election will be published on 11th July, 2023. This Court can foresee that the District Magistrate may remain busy for next few days after publication of the result of the Panchayat election.

Therefore, considering all submission made by the learned advocates for the parties the instant writ petition is disposed of giving liberty to the petitioner to complete all pending works and obtain all

requisite licences and permission required for commissioning within four weeks from 15th July, 2023 i.e., by 14th August, 2023.

The instant writ petition is, thus, **disposed of**.

The letter instructing the learned State advocate by the District Magistrate, Paschim Burdwan be kept with the record.

No time shall be granted for any reason whatsoever.

(Bibek Chaudhuri, J.)

***Mithun De.
A.R. (Ct).
SI No.10.***