

03 29.02.2024
AN Ct. No. 01
RP

WPA(P) 20 of 2024

Ria Karak
Vs.
The State of West Bengal & Ors.

Mr. Kallol Basu
Mr. Rahul Kr. Singh
Mr. Abhrajit Roy Chowdhury
Mr. Atreya Chakraborty
... for the petitioner

Mr. T. M. Siddiqui
Mr. A. L. Chatterjee
... for the State

Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kr. Nag
... for the BMC

Mr. Sabyasachi Mukherjee
Mr. Mrinmay Nandy
Ms. Poulami Dey
Mr. Bibek Dey
Mr. Syed Naaz Ahmed
... for respondent nos. 8, 9 & 10

1. We have heard learned counsel for the respective parties at length.

2. By this writ petition styled as a Public Interest Litigation, the petitioner alleges that the respondent nos. 8 to 10 are running a Club and are selling alcohol without license and there is also a hookah bar. In the year 2022, an inspection was conducted and it was found that the respondent nos. 8 to 10 were serving alcohol in the premises without any prior license and, therefore, criminal case has been registered and the matter is under progress.

3. From the submissions made by the learned counsel appearing for the respondent nos. 8 to 10, it appears that as on date, the respondent nos. 8 to 10 do not have any Excise license to vend the alcohol in the premises in question. If the respondent nos. 8 to 10 do not process any license then vending of alcohol in the premises is illegal.

4. In the light of the representations given by the writ petitioner, more particularly, dated 28.12.2023, we direct the respondent no. 3 herein, the Officer-in-Charge of Excise Bidhannagar A Circle to conduct a surprise inspection of the premises and if it is found that the alcohol is being sold in the said premises, the premises be sealed forthwith. However, this will not prevent the respondent nos. 8 to 10 to apply for the license before the Excise authorities before commencing any business with regard to vending of alcohol. Further, the respondent Corporation shall also ensure that the usage of the building is restricted to the purpose for which the lease was granted. This order shall be complied with within a period of three weeks from the date of receipt of the server copy of this order.

5. In the result, the writ petition stands **disposed of.**

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)

