

A-06
Ct No.09
01.04.2024
TN

WPA No. 13000 of 2023

Arnab Pramanick
Vs.
The State of West Bengal and others

Mr. Arnab Pramanick

.... petitioner in person

Mr. Sk. Md. Galib, Ld. Sr. Govt. Adv.,
Ms. Subhra Nag

....for the State

- 1.** The petitioner has couched the present writ petition in the manner of a police inaction matter, although he submits that his grievance lies elsewhere. However, since the petitioner is appearing in person with leave of court, some amount of lenience is required to be shown since the petitioner is not expected to be conversant thoroughly in the law.
- 2.** The primary grievance of the petitioner is that according to the petitioner, the private respondent, who is the paternal uncle of the petitioner, played fraud on the petitioner's father and included himself as a joint excise licensee with regard to running of a liquor shop.
- 3.** Subsequently the father of the petitioner, since deceased, had cancelled the partnership with the uncle of the petitioner and had intimated to the relevant authorities to remove the name of the

petitioner's uncle, that is, the private respondent as joint holder of excise licence.

4. However, no steps having been taken, the petitioner ultimately had to move this court when a coordinate Bench of this court, by its judgment dated March 03, 2022 passed in W.P.A. No. 1593 of 2022 had issued a spate of directions including that on the Collector of Excise to conduct a fresh hearing of the matter giving opportunity of hearing to all concerned and the Collector was also directed to decide the transfer of the original licence in the name of Late Joydeb Pramanick in favour of his legal heirs and the rights of Basudeb Pramanick, if any, to be pronounced upon.
5. It transpires from the documents handed over in court today by the petitioner that pursuant to the direction of this court, by an order dated April 04, 2022, the Additional District Magistrate (G) & Collector of Excise, South 24 Parganas had decided the matter at length upon hearing all parties. Ultimately Smt. Sefali Pramanick, Sri Achintya Pramanick and Sri Amit Pramanick (legal heirs of deceased joint licensee i.e. Joydeb Pramanick) to apply online for regular settlement of license of Dakshin Barasat C.S. shop along with the surviving licensee namely Basudeb Pramanick through the dedicated portal concerned.

6. Thus, it is seen from the said order, which was passed two years back, that the respondent no. 7's rights were also acknowledged by the Collector.
7. The petitioner, instead of having preferred a challenge against the said order for the long period of two years since, has now preferred the writ petition seeking a direction on the police authorities to oust the private respondent from the liquor business. However, the said prayer is palpably *de hors* the law. In view of the order of the Collector dated April 04, 2022, which has attained finality, no further direction need or can be passed against the police authorities to oust the respondent no. 7, who is legitimately entitled to hold a joint license by virtue of the said order of the Collector.
8. As such, there is no scope of entertaining the writ petition or issuing any writ on the prayers made herein.
9. Accordingly, WPA No. 13000 of 2023 is dismissed on contest without any order as to costs.
10. The documents handed over today in court by the petitioner be made a part of the records.
11. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)