

13.12.2024
Ct. No. 35
Sl. No.36
BP/AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 18301 of 2023

**Fairly Udyog Private Limited & Anr.
-versus-
The State of West Bengal & Ors.**

**Mr. Rajdeep Majumdar. Sr. Adv.
Mr. Srijib Chakraborty.
Mr. Subhasis Chakraborty.
Mr. Amit Chowdhury.
Mr. Aditya Mondal.
...For the Petitioners.**

**Mr. Anirban Roy. G.P.
Mr. Tanoy Chakraborty.
Mr. Saptak Sanyal.
... For the State.**

The grievance of the petitioners is that there is an on shop as well as bar operating in and around the premises for which the petitioners sought for permission, however, the Collector refused the same only on the ground that the Howrah Police Commissionerate raised objection. Since other on shop are operating from the same premises or the adjacent premises concerned, the reasons assigned by the Howrah Police Commissionerate cannot be a sole ground for rejection of permission to the present petitioners.

Collector, Excise of Howrah will independently deal with the prayer of the petitioners for permission as

the same business is being run by other persons not only in the locality but in the vicinity.

The order under challenge is of 03.08.2023 passed by the Additional District Magistrate (D) and Collector of Excise, Howrah.

The same authority will revisit the prayer advanced by the petitioners by 24th December, 2024 and communicate the order to the petitioners.

With the aforesaid observations, WPA 18301 of 2023 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official website of this court.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Tirthankar Ghosh, J.)