

05.05.2025.
22
Ct.No.7.
as

WPA 4585 of 2022

Manik Das
Vs.
The State of West Bengal & Ors.

Mr. Amadipta Sengupta,
Ms. D. Ghosh.
...for the Petitioner.

Mr. Anirban Roy,
Mr. Tanoy Chakraborty,
Mr. Saptak Sanyal.
...for the State.

1. Citing inaction on the part of the concerned respondents in considering the petitioner's application for granting of excise licence, the present writ petition has been preferred.

2. Mr. Sengupta, learned advocate appearing for the petitioner, submits that although the petitioner had submitted an application as far back as in the year 2020, no action has been taken by the concerned authority till date. This prolonged inaction has compelled the petitioner to approach this Court by way of the present writ petition. He, therefore, prays for an appropriate direction upon the authority to consider and dispose of the petitioner's application in accordance with law.

3. Mr. Chakraborty, learned Advocate appearing for the State respondents, submits that after receiving the petitioner's application, it was discovered that the

petitioner had been arrested in connection with a criminal case. He further submits that, as per established practice, if a licensee is implicated in a criminal case and subsequently apprehended and remains in judicial custody, their license is suspended. In light of this, the authorities raised certain queries with the petitioner. However, the petitioner failed to provide satisfactory responses to these queries. Consequently, his application could not be processed, and with the passage of time, the application has now become infructuous. Mr. Chakraborty suggests that the petitioner may file a fresh application, and if such an application is submitted, it shall be considered in accordance with law.

4. Having heard the learned Advocates for the respective parties and upon perusal of the materials on record, the writ petition is disposed of with liberty granted to the petitioner to submit a fresh application for the grant of an excise license.

5. In the event that such an application is submitted by the petitioner, the same shall be considered in accordance with law. If the respondent finds the petitioner eligible for the grant of an excise license, appropriate follow-up action shall be taken. Conversely, if the respondent determines that the petitioner is not entitled to obtain such a license, a reasoned order shall be passed and communicated to the petitioner. The

entire process shall be completed within a period of 12 weeks from the date of receipt of the petitioner's application.

6. The writ petition is, thus, disposed of.
7. There will be no order as to costs.

(Partha Sarathi Chatterjee, J.)