

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

W.P.A 8502 of 2025

**Smt. Baishakhi Pramanick (Mondal)
-versus
State of West Bengal & Ors.**

**Ms. Malabika Saha,
Ms. A. Khan.
...For the Petitioner.**

**Mr. Dipanjan Datta, Sr. Adv,
Mr. Subhajit Chowdhury.
...For the State.**

**Mr. Subhabrata Das,
Mr. M.K. Das,
Mr. Arindam Banerjee.
...For the Municipality.**

**Ms. Sananda Bhattacharyya.
...For the Respondent No.5.**

1. Affidavit-of-service filed in Court today is kept with the records.

2. The petitioner is aggrieved by the act on the part of the Drug Licensing Authority and the North Barrackpore Municipality in issuing drug license and trade license in favour of the private respondent for running business from a property jointly owned by the petitioner and the private respondent without obtaining express consent from the petitioner.

3. An objection has been raised by the petitioner which is pending consideration before the Municipality and the Drug Control office.

4. Learned advocate representing the respondent no. 5 submits, upon instruction that, the petitioner had issued a No Objection Certificate for running business from the subject premises in the year 2008. The drug license was issued in the year 2008 and the same is valid till 2028.

5. According to the Municipality, as the drug license is valid till 2028, accordingly, yearly renewal of the trade license was made in favour of the businessman. The name of the private respondent no. 5 is reflected in the assessment register maintained by the Municipality.

6. Learned advocate representing the petitioner submits that the No Objection Certificate which was given in the year 2008 stood revoked by a registered deed in the year 2014.

7. Whether the revocation of the No Objection given by the petitioner was intimated to the Municipality in proper time or not is not evident from the documents annexed to the writ petition.

8. The petitioner has made representation before the Municipality and the Drug Control office which is pending consideration.

9. The writ Court will not be the proper forum to adjudicate factual issues and, accordingly, the Court intends to dispose of the writ petition by passing necessary direction.

10. In view of the above, the instant writ petition is disposed of by directing the North Barrackpore Municipality being the respondent nos. 3 and the Director of Drugs Control or any other competent officer under the respondent no. 7 to take into consideration the representation filed by the petitioner strictly in accordance with law after giving reasonable opportunity of hearing to all the necessary parties and dispose of the same by passing a reasoned order.

11. The aforesaid authorities shall decide the issue at the earliest but positively within a period of twelve weeks from the date of communication of this order.

12. Learned advocate for the petitioner is directed to forward a copy of the representation along with all support documents to the aforesaid respondents at the time of communicating the order of the Court.

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

(Amrita Sinha, J.)