

20th AUGUST, 2025

Item no.D/L 39
Court No. 14

PRADIP, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 10066 of 2025**

In the matter of :

Sanjib Kumar Das @ Sanjib Das

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner :

Mr. Kiron Sk.

Mr. Sayed Hossain

Ms. Monalisha Sinha

For the State :

Mr. Tanoy Chakraborty

Mr. Saptak Sanyal

....Advocates

1. The petitioner alleges that the Excise Department is not permitting the petitioner to run the foreign liquor off-shop despite having a valid license.
2. Learned advocate representing the State respondents has obtained instruction from the Deputy Excise Collector & the Assistant Commissioner of Revenue dated 6th May, 2025 which discloses that a mass complaint was filed by a school.
3. The students of the school are using the path where the liquor shop is situated. There is a bus stand nearby and women and elderly citizens use the said route. There is significant threat to the safety and wellbeing of the school children.

4. There is a temple nearby and one cancer care clinic is functioning close by. The shop can lead to increased noise and air pollution from smoking and public disturbances.
5. In view of the aforesaid reasons, the petitioner cannot be permitted to open the shop despite having a valid license.
6. It has been submitted that the trade license of the petitioner has been issued only in the year 2024 though the license from the Excise Department was issued in the year 2014.
7. It appears that in the facts and circumstances as mentioned hereinabove, it may not be possible for the petitioner to open and run the liquor shop from the existing site.
8. Accordingly, it will be open for the petitioner to take steps for shifting the liquor shop to a separate place in accordance with law.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)