

29.10.2025
Item No.48
Ct. No.01
RP

WPA(P) 350 OF 2025
Ashok Kumar Gupta
VS
Union of India & Ors.

Mr. Ram Anand Agarwala
Ms. Nibedita Pal
Mr. Ananda Gopal Mukherjee
Ms. Sonam Ray
Ms. Nasrin Khatoon

...For Petitioner

Ms. Manika Roy
Ms. Ankita Chowdhury
Mr. Atanu Sur

....For Respondent No.9

Mr. A. Ray, Ld. GP
Mr. Dipanjan Datta, Sr. Govt. Adv.
Mr. Sobhajit Chowdhury

....For State

Mr. Sanjib Kumar Mal
Mr. Bimalendu Das
Ms. Shomrita Das

....For Respondent Nos.2 and 3

1. Parties are represented through their respective counsels.
2. The singular grievance of the petitioner in this Public Interest Litigation is that the private respondent should not be permitted to set up a retail outlet dealership (petrol pump) at the proposed site because it is near to a power station. Petitioner has already preferred representations to various statutory authorities in relation to the said grievance.
3. Learned counsel for the respondents have taken common stand that the Public Interest Litigation is premature. There is a procedure for establishment of the retail outlet (petrol pump). Various agencies

including Explosive Safety Department, Fire Department of the State Government, the concerned oil company and the District Magistrate will look into the matter and examine the aforesaid aspect before taking any decision for allotment of retail outlet. In other words, the respondents candidly submitted that all the aforesaid authorities will examine the feasibility and permissibility of setting up of retail outlet at the proposed site and a conscious decision will be taken.

4. Learned counsel for the petitioner has expressed his satisfaction on the joint submission made by the learned counsel for the respondents.
5. Accordingly we deem it proper to dispose of this Public Interest Litigation by observing that it will be lawful for all the concerned authorities to examine as to whether the retail outlet can be permitted to be established on the land in question. This Court has no doubt that decision will be taken by the said authorities in accordance with law.
6. With the aforesaid observation and without expressing any opinion on merits of the case, this Public Interest Litigation is disposed of.

**[SUJOY PAUL]
ACTING CHIEF JUSTICE**

[SMITA DAS DE, J.]