

14.11.2025
Item No.31
BR

WPA 21837 of 2025
Laxmi Tamta Saha
-vs-
State of West Bengal and Ors.

Mr. Sarwar Jahan,
Mr. Sayantan Hazra,
Ms. Shalini Sen
.... For the petitioner

Mr. Suman Sengupta,
Mr. Amrita Panja Moulick
.... For the State

Mr. Timir Baran Saha
.... For the respondent no. 7

1. Affidavit of service filed by the petitioner be kept with the record.

2. The writ application has been preferred praying for setting aside of memo no. 445/SCF&S /KGR/2025 dated 25.4.2025 passed by the Sub-divisional Controller, Krishnagar, Nadia.

3. It is submitted by the petitioner/wife of the deceased licensee that license has been granted in her favour but vide the order under challenge the authority concerned has passed a direction directing the petitioner to share one-third of the earnings

with the mother of the deceased licensee that is respondent no. 7/mother-in-law/ mother of the deceased licensee.

4. On hearing the learned counsel for the parties and on perusal of the materials on record including the order dated 25.4.2025, it appears that the respondent no. 6 being the Sub-divisional Controller, Krishnagar, Nadia has passed a reasoned order

“ Reasoned order complying the judgment and order dt. 19.03.2025 of Hon’ble High Court (Calcutta) in the matter of WPA 9641 of 2024 and in the matter of Jayashri Saha-vs- The State of West Bengal and Others.” (Scanned kora). Vide the said order, it appears that the said authority has passed the said direction on the observations made therein (Scanned kora).

5. It appears from the said order **that the petitioner herein had obtained a license on giving an undertaking at the time of receiving the said license that she was duty bound to carry out the instructions of the Court,**

wherein the Court had given specific direction that the petitioner herein being the daughter-in-law, Laxmi Tamta Saha was to comply with.

It has been specifically directed by the High Court in its order dated 19.3.2025 that if the petitioner herein did not comply with the said direction of the High Court and as per the undertaking given, the authority concerned could take appropriate steps for imposition of fine aforementioned of commission etc.

6. Considering the conduct of the petitioner herein, the authority held a meeting on 16.4.2025 at 12.30 p.m. and heard the parties and directed that one third of the earning would be given to the respondent no. 7 as per the directions in the said order.

7. It appears that the Sub-divisional Controller in compliance of the High Court's has passed an order which is in accordance with law and suffers from no irregularity. The conduct of the petitioner herein is against the direction of the High Court

considering that she has not complied with the undertaking given as directed by the High Court.

8. As such this Court finds no irregularity in the order dated 25.4.2025 passed by the respondent no. 6, Sub-Divisional Controller. The writ application thus having no merit, stands dismissed.

9. All parties to act on the server copy of this order.

(Shampa Dutt (Paul), J.)