

27-10-2025
Item No.362 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.23928 of 2024
Mili Mondal

-vs-

The State of West Bengal & Ors.

Mr. Mainak Ganguly ...for the petitioner

Mr. Tanoy Chakraborty
Mr. Saptak Sanyal ...for the State

1. The petitioner is aggrieved by the action on the part of the Excise authority in refusing to grant licence for running bar-cum-restaurant at a site under the Mandarmoni Coastal police station.
2. According to the authority, the site in question falls within the Coastal Regulation Zone (CRZ).
3. The petitioner, through her learned counsel, denied the stand of the authority that the site falls within CRZ where licence cannot be issued.
4. It has been submitted that the restriction with regard to CRZ will not be applicable in the case of the petitioner as the subject hotel from where the business is proposed to be run is already in operation for quite some time.
5. Prayer has been made to direct the authority to take a decision with regard to grant of licence in her favour.
6. Learned counsel for the Excise authority relies upon the instructions forwarded by the Superintendent of Excise, Purba Medinipur. The observation on CRZ forwarded by the Chief Administrative Officer of the Institute of

Environmental Studies and Wetland Management, Department of Environment, Government of West Bengal clearly states the geographic coordinates of the hotel from where the petitioner intends to run her business lies within CRZ.

7. The instructions forwarded by the authority mentions that the offered site being 87.70449E/21.66324N (degree decimal), where the business is proposed to be run has been constructed over the seaward side (CRZ-II) which is in contravention to the provisions of the Coastal Regulation Zone Notification of 2011.
8. As the authority has come to a considered opinion that the constructed site is within the restricted zone, accordingly, prayer of the petitioner for grant of licence cannot be allowed by the Court.
9. The writ petition fails and is hereby dismissed.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

