

03.10.2025

Court No.6

DL/Item No.-48

[sb/Milan]

WPA 23707 of 2025

Asit Bauri
versus
The State of West Bengal & Ors.

Mr. Sumitava Chakroborty,
Mr. Aditya Mondal
....for the Petitioner

Mr. Arindam Chatterjee,
Mr. Hare Krishna Halder
....for the State

Mr. Snehasish Dey
....for the Respondent No.7

Affidavit of service filed in Court is taken on record.

The learned advocate for the petitioner, the learned advocate for the State of west Bengal and the learned advocate for the opposite party no.7 are present.

The grievance of the petitioner is, the respondent authorities without complying with Rule 8 of the West Bengal Excise (Selection of New Site and grant of Licence for sale of Liquior and certain other Intoxicant) Rules, 2023 have taken steps to issue liquor licence.

The learned advocate for the petitioner draws attention of this Court to the representation made by the villagers.

Mr. Chatterjee, learned advocate for the State of West Bengal submits that the writ petitioner does not have the *locus standi* to move this writ petition as it is a Public Interest Litigation.

Mr. Dey, learned advocate representing the respondent no.7 being the Pradhan, Mangalda – Moutarh Gram Panchayat, Raghunathpur-II Samity, submits that opening of liquor shop is causing problem to the villagers.

Upon considering the submission of the learned advocates and considering the facts of the case, this Court of the view, as this Court is not adjudicating this writ petition on merits, it would be proper to direct the respondent authorities to consider and decide the representation made by the villagers appearing at page 28 of the writ petition.

The respondent no.2 shall consider the representation made by the writ petitioner along with other villagers within a period of four weeks from the date communication of this order upon giving an opportunity of hearing to the writ petitioner or his learned advocates and the respondent nos.6 and 7 and thereafter pass a reasoned order.

It is made clear that this Court has not gone into the merits of this case. All points are left open to be agitated before the respondent no.2.

The petitioner shall be at liberty to make necessary interim prayer before competent authority in case of any exigency.

The writ petition stands disposed of accordingly.

All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities

(Biswaroop Chowdhury, J.)