

07.07.2025.
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Ct.No.7.
as

WPA 24312 of 2022

Sri Bishu Patra
Vs.
The State of West Bengal & Ors.

Mr. Suprabhat Bhattacharyya.
...for the Petitioner.

1. Affidavit of service filed in Court today is taken on record.
2. Despite service, the State is unrepresented.
3. The present writ petition has been filed seeking a writ of mandamus directing the concerned respondents to issue an excise license in favour of the petitioner, thereby enabling him to operate a country and foreign liquor off-shop in his locality.
4. Mr. Bhattacharya, learned Advocate appearing for the petitioner, submits that the petitioner is an unemployed youth who had submitted an application before the District Magistrate and other relevant authorities of his locality seeking the grant of an excise license. However, despite receipt of the application, the concerned respondents have failed to consider the same. This inaction on the part of the authorities has compelled the petitioner to file the present writ petition. He, therefore, prays for a direction upon the District Magistrate to consider his representation and to grant the excise license in his favour.

5. Heard the learned Advocate appearing for the petitioner and perused the materials on record.

6. The petitioner has been unable to produce any document showing that a vacancy was declared for the post of vendor or retailer of a country and foreign liquor off-shop in the locality, or that any application was invited from interested applicants.

7. Merely because the petitioner is unemployed youth, and merely on the ground that he has submitted an application, this Court is not inclined to issue a writ of mandamus directing the concerned respondent to grant a license in favour, particularly in the absence of any notification issued under the relevant Act and/or applicable rules for the grant of such license in the locality, or any advertisement inviting applications from interested persons for the same.

8. In view thereof, I do not find any justification to interfere in this writ petition, and accordingly, the same is dismissed, however, without any order as to costs.

9. However, this order shall not preclude the petitioner from making an application if any vacancy is declared or if any application is invited in that locality from the interested and eligible candidates for the grant of license to operate a foreign liquor off-shop.

(Partha Sarathi Chatterjee, J.)