

18
25.02.2025
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.30997 of 2024
Gargi Goswami
-vs-
State of West Bengal & Ors.

Mr. Dipan Kumar Sarkar
Mr. Sagnik Majumdar
Mr. Abhidipto Tarafdar
Ms. Shreya Ghosh Dastidar ...for the petitioner

Mr. Somnath Ganguli, AGP
Mr. Raja Ram Banerjee ...for the State

Mr. Arjun Roy Mukherjee
Ms. J. Medhi.
...for West Bengal Pollution Control Board

Mr. Sirsanya Bandopadhyay.
Mr. Arka Kumar Nag.
Mr. Tirthankar Dey
...for the Corporation

Mr. Saumyen Datta
Ms. Dolon Dasgupta ...for the respondent no.10

1. Report filed by the Special Secretary, Government of West Bengal and the report of the Divisional Fire Officer, North 24 Parganas Division placed before the Court today be retained with the records.
2. It appears therefrom that the license issued by Bidhannagar Municipal Corporation in favour of the private respondent for running the shop under the name and style of 'Maa Tara Mistanna Bhandar' has been cancelled with effect from 20th February, 2025.
3. In view of cancellation of the trade license, the

private respondent will not be allowed to operate the business from the subject shop room.

4. The Fire license of the private respondent, however, appears to be still valid. Nevertheless without a valid trade license, no business can be run.
5. Copy of the cancellation of trade license has been handed over to the learned advocate representing the private respondent in Court today. The learned advocate representing the private respondent submits that the cancellation is bad in law. On the basis of such illegal cancellation of trade license the age old shop room and the business of the private respondent ought not to be stalled.
6. As the order of cancellation is not under challenge, accordingly, the Court cannot enter into the merits of such submission. It will be open for the aggrieved party to take steps, in accordance with law, to challenge the legality of the cancellation before the competent forum, if so advised.
7. The instant writ petition is disposed of by directing the Officer-in-Charge, Baguiati P.S. to ensure that the private respondent does not run the business from the subject shop room without valid license from all the competent authorities.
7. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

[Amrita Sinha, J]

