

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION**

19 27.1.2025
Sc Ct. no. 2

WPA 188 OF 2025

Smt. Amrit Kaur
Vs.
The State of West Bengal & Ors.

Mr. Sandip Mandal
Mr. Amit Saha.
....For the Petitioner

Ms. Bedashruti Bose
Ms. Rima Sarkar.
....For the Respondents

Affidavit-of-service, filed today in Court, is taken on record.

Mr. Sandip Mandal, learned Advocate appears for the petitioner.

Ms. Bedashruti Bose, learned State Advocate and Ms. Rima Sarkar, learned State Advocate appear for the State respondents.

The petitioner states that, from the portion of a particular premises wherefrom the petitioner was carrying out her liquor shop upon obtaining proper liquor license from the State authority has now been left by the petitioner under a family settlement. By virtue of the existing family settlement, the petitioner has now shifted to another portion of the selfsame premises and, accordingly, she claims the Liquor

License to be issued afresh at the said shifted portion of the premises.

Learned Advocate for the petitioner upon instruction submits that, though the Premises number, Plot number and Khatian number are the same but the holding numbers in respect of the two portions of the same premises are different.

Referring to the representation dated **November 23, 2024, Annexure-P12 at page 76** to the writ petition submitted through her learned Advocate, the petitioner submits that, the said representation is still pending and not disposed of.

In view of the above, the respondent no.4 upon issuing a prior hearing notice of at least **seven days** to the petitioner and after granting him an opportunity of hearing shall decide the said representation dated **November 23, 2024, Annexure-P12 at page 76** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent no.4 positively within a period of **six weeks** from the date of communication of this order. The reasoned decision shall be communicated to the petitioner positively within a period of **one week** from the date of the said reasoned order to be passed.

The petitioner shall be entitled to participate in the hearing along with her duly authorized representative before the respondent no.4.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge whatever points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the respondent no.4 but the same shall not travel beyond the scope of the said representation dated **November 23, 2024**.

In the event the reasoned order goes in favour of the petitioner, the appropriate authority shall take all necessary and consequential steps to give an immediate effect thereto but positively within a period of **two weeks** from the date of the said reasoned order to be passed.

It is made clear that, this order shall not create any right or equity in favour of the petitioner if the petitioner is found not eligible to receive her claim strictly in accordance with law before the respondent no.4.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition, **WPA 188 of 2025** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)