

S/L 7
02.01.2026
Court. No. 25
sourav

WPA 17667 of 2025

Sanjit Kumar Debnath
Vs.
The State of West Bengal & Ors.

Mr. Krishnendu Sarkar
Ms. Manisha Bose
Ms. Meghla Das

...for the petitioners.

Mr. S. Mandal

...for the State.

1. The petitioner has filed the present writ application being aggrieved with the impugned order passed by the Additional District Magistrate (L & LR) Hooghly, & Collector of Excise Singur Excise District dated June 23, 2025 wherein the Additional District Magistrate has rejected the request of the petitioner for grant of permission for professional entertainment or dance and playing of vocal and instrumental music in the premises for retail sale of foreign liquor.
2. Learned counsel for the petitioner submits that on receipt of the application filed by the petitioner, the Magra Police Station has submitted a report stating that no breach of law and order situation in the location were established since the year 2023 and there is no residential house in and around the business establishment as mentioned above, but there is every possibility of mushrooming residential houses at the said location in near future.
3. The District Intelligence Bureau has submitted the report on March 27, 2025 stating that during local enquiry it could be found that there is no educational institution or religious

institution or any vital establishment near the above mentioned place. Ongoing through the records, it could be found that there is nothing adverse against the applicant in P.S. record and DIB record. It is also mentioned in the said report that there is no apprehension of Law and Order, if permission is accorded for professional entertainment or dance and playing of vocal and instrumental music within the licensed premises of “Prince Restaurant cum Bar” situated at Benipur under Chandrahati 2 GP, P.S. Mogra, Hooghly.

4. The District Magistrate has rejected the request of the petitioner on the ground that the police report suggests that the grant of proposed permission may lead to untoward incident of breach of peace. This Court finds that the police of P.S. Mogra has categorically stated that as per record, no such case relating to breach of law and order situation in the location were established since the year 2023 and there is no residential houses in and around the business establishment. The police of P.S. Mogra stated that there is possibility of mushrooming residential houses at the said location in near future. There is no such report that if the permission is granted, the same will lead to untoward incidents of breach of peace.
5. The DIB Mogra has recommended the case of the petitioner stating that on enquiry it could be found that there is no educational institution or religious institution or any vital establishment near the place where the petitioner intends to have the permission for professional entertainment or dance and playing of vocal and instrumental music.

6. Considering the above, this Court finds that the Additional District Magistrate has not considered the report of P.S. Mogra as well as DIB, Mogra properly and on its own has come to a conclusion that if the permission is granted, this may lead untoward incident of breach of peace.
7. Considering the above, the order dated June 23, 2025 is set aside and quashed.
8. The Additional District Magistrate, (L & LR) Hooghly, & Collector of Excise Singur Excise District is directed to consider the request of the petitioner afresh taking into consideration of the report submitted by Mogra P.S. as well as DIB Mogra within a period of four weeks from the date of receipt of this order.
9. **WPA 17667 of 2025** is disposed of.
10. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)