

05.01.2026
SL. No.67
Court No.2
SKG

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

W.P.A. No. 2505 of 2025

**Ajoy Locas Edwards
Versus
The State of West Bengal & Ors.**

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.,
Mr. Samim Ahmed,
Ms. Ambiya Khatun,
Ms. Esha Acharya,

...for the Petitioner.

Mr. Kishore Dutta, Ld. AG,
Mr. Amal Kr. Sen, AAG,
Mr. Subir Kr. Saha, AGP
Mr. Sombuddha Dutta,
Ms. Bedashruti Bose,

... for the State.

1. Petitioner is aggrieved by an order dated December 4, 2025 passed by the Collector of Excise, Darjeeling.
2. By the order impugned, the liquor lincence of the Bar-cum-Restaurant owned by the petitioner namely, Glenary's Restaurant-cum-Bar was suspended for a period of 90 days. However, the operation of the restaurant, bakery, eatery etc. was kept functional.
3. The petitioner is aggrieved by the suspension on various grounds.
4. A show cause notice was issued to the petitioner. The petitioner partially admitted that there was discrepancy in the amount of alcohol that was sold and what was accounted for. Live performance in the restaurant was going on without permission. Under such

circumstances, the order was passed by the competent authority suspending the licence.

5. It is submitted by the petitioner that in the month of January, Darjeeling is a sought after tourist destination. Total suspension of service of alcohol will cause huge financial loss to the petitioner. Moreover, discrepancy in the sale of alcohol was not a major violation of the law and the same was unintentional. Such discrepancy can be corrected. The authority may pass necessary directions in this regard and the petitioner shall comply with the same.
6. This court has considered the impugned decision. This court has considered the answers given to the show cause. Thus, the permission to continue with the live band cannot be allowed. However, as this is a tourist season and last limb of the winter vacation for many, sale of alcohol may not be completely stopped. Total stoppage of service of alcohol will cause loss to the petitioner.
7. However, the order impugned is an appealable order. The petitioner is at liberty to prefer the statutory appeal within a period of 10 days. For a period of 10 days or until any order is passed by the appellate authority, whichever is earlier, the sale of liquor will be permitted to the extent of sale of beer and such liquor in respect of which permission had been granted. Storage of foreign liquor in any other premise will not be permitted. The excise authority shall monitor the sale of alcohol on a regular basis. Separate

account/Register in respect of sale of each and every peg or bottle of alcohol sold or served to the customers shall be maintained and handed over on a daily basis in the office of the Excise Commissioner, Darjeeling. No live performance, dance or any kind of entertainment of such nature shall be held till the appellate authority passes any order.

8. WPA 2505 of 2025 is disposed of with the above terms without any order as to costs.
9. The statutory appeal shall be decided within a period of 30 days. This court has not made any observation on the merits of the matter. The appellate authority will decide the issues independently. The petitioner can pray for further interim order before the appellate authority.
10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Shampa Sarkar, J.)