

OD-5

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/121/2026

FEROZ BEG
VS
STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 2nd July, 2026.

Appearance:

Mr. Sunil Kr. Gupta, Adv.
Mr. Rishav Deb Barman, Adv.
.... for the Petitioners.

Mr. Nilanjan Bhattacharjee, Adv.
Mr. Mary Datta, Adv.
...for the State

Mr. Arup Kr. Chatterjee, Adv.
Mrs. Priti Jain, Adv.
...for the respondent Nos.7 & 9

1. Learned counsel appearing for the respondent nos.7 and 9 submits that the respondent nos.11, 13, 15 and 16 have passed away but the petitioner has filed the present writ application against the dead persons.
2. Learned counsel for the petitioner submits that the respondent nos.7 to 21 are the partners of the respondent no.6 and as such he prays for deletion of the names of respondent nos.11, 13, 15 and 16.
3. As per the submissions made by the counsel for the petitioner, the names of the respondent nos.11, 13, 15 and 16 has been deleted from the cause title of the instant writ application. The department is directed

to delete the names of the respondent Nos.11, 13, 15 & 16 from the cause title of writ petition.

4. The petitioner has filed the present writ application praying for a direction upon the respondent authorities, particularly the respondent nos.3 and 4 to take appropriate action against the private respondents for illegal operating the kitchen in the ground floor at 3 Biplabi Anukul Chandra Street, Kolkata without any fire safety certificate and other required permissions from the concerned authorities.
5. Learned counsel for the private respondents prays for time to file affidavit-in-opposition.
6. The counsel for the State submits that as the petitioner has already made the representation to the concerned authority, if a direction is passed by this Court, the authority will consider the representation of the petitioner after giving opportunity of hearing to all the parties and take appropriate steps if it is found that the respondents are running the kitchen without any permission or without any fire safety.
7. Heard the learned counsel for the respective parties and perused the materials on record.
8. The grievance of the petitioner in the present writ application is only that the private respondents are running the kitchen in the premises in question without the fire safety certificate and other certificates from the concerned department. This Court has also finds that the petitioner has made representations to the authorities from time to time but the

authorities have not taken any steps in respect of the representations submitted by the petitioner.

9. Accordingly, the writ petition being WPO/121/2026 is disposed of directing the respondent no.3 to consider the representation submitted by the petitioner after giving opportunity to the petitioner as well as the affected persons, if any and to pass reasoned and speaking order within a period of six weeks from the date of receipt of the order.
10. It is made clear that this Court has not gone into the merits of the matter and the petitioner and the other affected persons, if any, shall also have liberty to file further document if any before the respondent no.3 at the time of adjudication of the issue raised by the petitioner.

(KRISHNA RAO, J.)

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