

Sri Tripti Kumar Chatterjee Vs. Sri Arnab Roy and ors.

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Court : Kolkata

Decided On : Jul-23-2010

Judge : Girish Chandra Gupta, J.

Appeal No. : CC No. 78 of 2010

Appellant : Sri Tripti Kumar Chatterjee

Respondent : Sri Arnab Roy and ors.

Advocate for Def. : Mr. Debangshu Mondal, Adv.

Advocate for Pet/Ap. : Mr. Sudipto Moitra, Adv.

Judgement :

The Court :- The writ petitioner represented by Mr. Moitra submitted that he has already obtained all requisite permission and licences for the purpose of carrying on business of Bar & Restaurant.

Mr. Debangshu Mondal, learned Advocate appearing for the Kolkata Municipal Corporation led by Mr. Ghosh submitted that under Section 425 of the Kolkata Municipal Corporation Act, the licence already issued to the writ petitioner should be deemed to have been issued provisionally which shall become final only after the other licences required under the Statute for the purpose of running the business of a Bar & Restaurant are produced and verified by the Municipal Authority.

Considering the submissions made by the learned Advocates the writ petitioner is directed to produce all licences, which he has, according to him obtained, to the Municipal Commissioner for verification. In the event he finds that all requisite licences have already been obtained by the writ petitioner, he shall, in that event, certify that the trade licence already issued is final. Upon such certificate being issued, the petitioner shall be entitled to carry on business as before.

The Commissioner of the Municipal Corporation shall try to dispose of the matter as early as possible, preferably within two weeks from date when the documents are submitted. Let the matter be listed after three weeks. All parties are to act on a xerox signed copy of this order on the usual undertakings.

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