

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/347/2026

M/s Hotel Sri K.P.N and Another

Vs

The Deputy Commissioner and Another

Ms. Anjili Nag, Sr.Adv.

Mr. Adarsh Ilango ... for the petitioners

Mr. Rakesh Kumar ... for the respondents

August 27,2026
[SR]
Item No.4

1. The order No.578 dated 11.05.2026 passed by the Deputy Commissioner, South Andaman District rejecting the prayer made by M/s Hotel Sri KPN for renewal of bar licence is impugned in the instant writ petition.
2. It appears from the records that the licence of M/s Hotel Sri KPN was issued on 31.03.2023 and the same was valid for a period of one year. Application for renewal was submitted on 23.08.2024.
3. By the impugned order, the application stood rejected on the ground that the said application was filed by Mrs. S.Kasthuri, whose name does not appear in the record as licence-holder.The respondents opined that Mrs.S.Kasthuri does not have *locus standi* to seek renewal of bar licence standing in the name of Shri T. Kannan.
4. Further ground for rejection is that licence standing in the name of Shri T. Kannan has been cancelled with immediate effect under section 18(d) and (f) of the Andaman and Nicobar

Islands Excise Regulation, 2012 and as such there is no scope for renewal of a cancelled licence.

5. It appears from records that the bar licence was never issued in the name of Shri T. Kannan. The licence stood in the name of the firm which was owned by Shri T. Kannan. As Shri T. Kannan got convicted in a criminal case, he leased out the proprietorship business in favour of Mrs. S.Kasthuri, who applied for renewal of the bar licence.

6. The finding of the authority that the bar licence stood in the name of Shri T. Kannan appears to be absolutely contrary to the record. No order can be passed for cancellation of bar licence if the said person was never issued a bar licence at all. The licence all along stood in favour of the proprietorship firm. The same was applied for renewal, however, after its expiry.

7. In view of the factual discrepancy recorded in the impugned order, the same cannot be sustained in the eye of law. The impugned order of rejection dated 11.05.2026, accordingly, stands set aside.

8. The competent authority is directed to reconsider the application made by the proprietorship firm for renewal, in accordance with law, at the earliest but positively within a period of four weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner.

9. If the application for renewal is found to be defective, then proper opportunity shall be given to the proprietorship firm for filing application for rectifying the defects, if any.

10. Be it recorded that the writ petition has been taken up for disposal on merits as the respondentssubmitted that they do not intendto file the affidavit-in-opposition, despite order being passed.

11. The writ petition stands disposed of. There shall be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)