

21.06.2021
Sl. No.3
srn

W.P.A. No. 2652 of 2021

Rahul Khan & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Sarwar Jahan

...for the Petitioners.

Mr. Susovan Sengupta,
Mr. Subir Pal

...for the State.

The writ petitioners filed application before the appropriate authority for being appointed as MR dealers pursuant to a vacancy notice dated February 12, 2019 issued by the Sub-Divisional Controller (Food & Supplies), Domkol, Murshidabad, West Bengal. Challans showing the deposit of the application money have also been annexed to the writ petition.

It is the contention of the petitioners that the applications filed by them were not considered and the authorities arbitrarily, without following the established procedure have taken into consideration only the applications of some favoured persons.

Mr. Jahan, learned Advocate appearing on behalf of the petitioners, prays that an investigation be directed by the appropriate authority on the basis of the representation made

by the petitioners through their learned Advocate dated January 8, 2021, which is Annexure P-4 to this writ petition.

Mr. Sengupta, learned Advocate appearing on behalf of the State-respondents, denies the allegations made by the writ petitioners. According to Mr. Sengupta, the applications filed by the petitioners were beyond the due date and as such the petitioners were not eligible to be considered. He further submits that those applicants who were eligible to be considered have been taken into account and appropriate enquiry and investigation were complete.

Mr. Jahan submits that the contentions of the State-respondents, as submitted before this Court, were never intimated to the petitioners.

I have heard the learned Advocates for the respective parties. As disputed questions of facts are involved, it is the authority itself who will be best in a position to clarify these doubts and intimate the petitioners as to why their applications were not considered. The representation of the petitioners is already on record.

Under such circumstances, this Court does not think it fit to enter into the merits of the writ petition. The Sub-Divisional Controller (Food & Supplies), Domkol, Murshidabad, West Bengal is directed to consider and dispose of the representation of the petitioners dated January 8, 2021

made through their learned Advocate being Annexure P-4 to the writ petition, and pass a reasoned order in accordance with law upon hearing the representative of the writ petitioners as also the representative of all the persons interested in the process. Notice of hearing to all concerned shall be granted. The entire exercise shall be completed within a period of eight weeks from date. The reasoned order should be communicated within the aforesaid period to all concerned.

This writ petition is, thus, disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)