

01.03.2021

BP
Sl. 29

WPA 5000 of 2021

(Via Video Conference)

Jalaluddin Sardar

Vs.

The State of West Bengal & Ors.

Mr. Dhiraj Kumar Trivedi

Mr. Amit Sharma

..for the petitioner.

Affidavit of service filed in court today be kept on record.

The petitioner's contention is that his father died on 26.11.1985. Thereafter, the MR licence which was in the name of his father was granted to one of his brothers namely Safiuddin Sardar, the respondent no.6 herein. Subsequently it was alleged by the petitioner that this M.R. dealership was taken by the said respondent no.6 by committing fraud and forgery. In respect of such allegation the District Controller, Department of Food and Supplies, South 24 Parganas by his letter dated 23rd September, 2011 directed the Sub-Divisional Controller, Food and Supplies, South 24 Parganas to hold discreet enquiry.

This chapter came to an end at least nine years back.

Subsequently the petitioner in the year 2020 made one representation to the authority to enquire into the matter mentioned in Annexure P-4 of the writ application.

After perusing the pleading and the documents therein, I find that this is a stale case and this court shall not exercise its discretionary jurisdiction because of enormous delay in making such allegation and also for the reason that the M.R. dealership was given in the name of one of the brothers of the petitioner.

In such circumstances, this writ application is dismissed.

(Abhijit Gangopadhyay, J.)

