

01.03.2021

BP
Sl. 30

WPA 5237 of 2021

(Via Video Conference)

Brindavan Bag
Vs.
The State of West Bengal & Ors.

Mr. Sridhar Chandra Bagari
..for the petitioner.

Mr. Sushovan Sengupta
Mr. Subir Pal
..for the State.

The petitioner submits that he is one FPS dealer having licence no. 134302900022. He has made one application to the Sub-Divisional Controller (Food and Supplies), South 24 Parganas contending that he does not have a number of heads, which is otherwise known as units, in respect of his FPS dealership and as one notification has been published for giving a dealership of fair price shop in the said area (reference Memo No. 191/SC/FS/Ali (S)2020 dated 12.03.2020 he should be granted the licence of fair price shop in respect of new notification.

Learned advocate appearing for the respondent authority submits that the case is entirely different. In this case, according to his instruction, some ration cards were tagged to the petitioner's fair price shop for

a resultant vacancy. Now as the vacancy is going to be filled up, those ration cards will be transferred to the new fair price shops after completion of the process. This is the reason for which the petitioner has approached this court.

Learned advocate for the respondent authority further submits that the submission made by the petitioner that in respect of a fair price shop there should be minimum 5000 units with a dealer is not at all correct and orientation of the units can always be done even if 5000 units are not under one particular FPS dealer.

Considering the submissions of the parties and considering the pleading of the writ application which discloses no cause of action, I dismiss this writ application without any order as to costs.

(Abhijit Gangopadhyay, J.)

