

S/L 6
05.01.2021
Court No.26
SD

**WPA 7318 of 2019
(Via Video Conference)**

Biswajit Das
Vs.
State of West Bengal & Ors.

*Mr. Sabyasachi Hazra
Mr. Subrata Mukherjee*

...for the Petitioner.

Mr. Susovan Sengupta

...for the State.

*Mr. Prantick Ghosh
Mr. Siddhartha Sarkar*

...for the Respondent No.4.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by inaction on the part of the respondent authorities in considering his representation dated February 22, 2019. The writ petitioner further seeks the transfer of the licence from the name of the respondent no.4 to his name.

The facts of the case are that the father of the petitioner died in the year 2010 and upon his death, the licence was transferred to the respondent no.4 who is the elder brother of the petitioner. Since then both brothers have been working in the MR dealership shop. Clearly, in the year 2019 a dispute has arisen between two with regard to share of the MR distributorship. In my view, this is not a matter to be adjudicated by the writ court and is required to

be pursued by the petitioner before the appropriate civil court.

In light of the above, WPA 7318 of 2019 stands dismissed with liberty to the petitioner to approach before the appropriate forum for relief.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)