

S/L 4
04.01.2021
Court No.26
SD

**WPA 10745 of 2019
(Via Video Conference)**

Sajal Dey
Vs.
State of West Bengal & Ors.

Mr. Krishnendu Bera
...for the Petitioner.

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

Mr. Debabrata Saha Roy
Mr. Subhankar Das
...for the Respondent No.5.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated April 3, 2019 passed by the Principal Secretary, Food and Supplies Department, Government of West Bengal wherein the authority held that the appeal was not admissible as per Clause 25 of the WBPDS (M&C) Order, 2013.

Mr. Susovan Sengupta, counsel appearing on behalf of the State, has submitted that the appeal would lie before the Director, District Distribution Procurement and Supply (hereinafter called as 'DDPS').

I have heard counsel appearing on behalf of the parties and perused the materials on record.

Accordingly, DDPS is directed to hear out the appeal of the petitioner after granting an opportunity of hearing and

thereafter pass a reasoned order within a period of four weeks from the date of communication of this order.

I make it clear that the authority shall consider the appointment on compassionate ground under the WBPDS (M&C) Control Order, 2003.

With these observations, W.P.A. 10745 of 2019 is disposed of.

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.)