

16.08.2021
SL No. 9
Court No. 24
(S.A.)

WPA 12629 of 2021

Sanju Kabiraj
Vs
The State of West Bengal & Ors.

Mr. Nirmalendu Bera,
Mr. Gora Chand Samanta
... for the petitioner.

Mr. Arunava Maiti
... for the State.

Affidavit of service filed in Court is taken on record.

The petitioner is interested for setting up a fair price shop and godown at his own premises. The Sub-Divisional Controller by communicating memo dated 27th July, 2021 directed the petitioner to appear physically with all relevant documents for a personal hearing failing which it will be assumed that he was not interested for the vacancy and his application would be rejected without any further communication.

It is the submission of the petitioner that on 3rd August, 2021, he was duly present but he did not have the relevant documents with him at that point of time. He accordingly made a representation on 3rd August, 2021 itself seeking extension of time for producing the relevant documents in his support. There is no reply from the concerned authority. The petitioner apprehends that his candidature may be rejected in terms of the earlier communication made on 27th July, 2021.

We are passing through very difficult times and the petitioner may not be in a position to produce the relevant documents immediately.

Accordingly, the Sub-Divisional Controller being the respondent no.3 herein is directed to grant a further opportunity to the petitioner for production of the necessary documents for the purpose of conducting the field enquiry. The petitioner is directed to make a formal application before the Sub-Divisional Controller intimating the time within which he will be able to produce all the documents in support of his candidature. In the event, such an application is made, the concerned respondent shall consider the same and pass necessary orders.

The learned advocate for the petitioner submits that the documents have since come to his hand and he will be able to produce the same within a month from date. The Sub-Divisional Controller will keep in mind the time limit mentioned hereinabove at the time of passing the direction upon the petitioner to appear with relevant documents in his support.

The Sub-divisional Controller upon consideration of the documents produced by the petitioner, shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)