

Item No.198

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

07.09.2021
Ct-24

WPA 13467 of 2021
Sri Gouranga Mahata
v.
The Sub-Divisional Controller,
Food and Supplies, Khatra & Ors.

Mr. Pradip Kumar Patra
... for the petitioner.

Mr. Susovan Sengupta
... for the State.

The petitioner is aggrieved by the Memo dated April 29, 2021 issued by the Sub-Divisional Controller, Food and Supplies, Khatra wherein it has been mentioned that the petitioner failed due to lack of supporting documents.

The petitioner is interested in obtaining MR dealership in the vacancy at Patpur Sub-division, Khatra. The petitioner applied pursuant to a vacancy notice published on February 4, 2021. The said application form was submitted along with the necessary documents and the application fee.

The petitioner on receipt of the aforesaid impugned communication made representation through his learned advocate on May 7, 2021. The petitioner alleges that the said representation has not been considered by the respondent authority till date.

There is no instruction from the State respondents.

As it appears that the representation filed by the petitioner is pending consideration at the end of the Sub-Divisional Controller, Food and Supplies, Khatra, accordingly, the instant writ petition is disposed of by directing the respondent no. 1 being the Sub-Divisional Controller, Food and Supplies, Khatra to take a decision with regard to the representation filed on behalf of the petitioner strictly in accordance with law, at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order. The said respondent shall grant an opportunity of hearing to the petitioner and pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not gone into the merits of the case and all facts are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)