

Court No. 24
22.03.2022
(Item No. 140)
(AB)

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 1713 of 2022

Kibir Mohammad
VS
The State of West Bengal & Ors.

Mr. Rabindra Nath Chakraborty
Mr. Saumitra Banerjee
..... for the petitioner
Mr. Sirsanya Bandyopadhyay
Mr. Arka Kumar Nag
..... For the State
Mr. Debobrata Saha Roy
Mr. S. Das
..... for Municipality

The petitioner is aggrieved by the information forwarded to him giving detailed grounds of rejection of his application for grant of Fair Price Shop License.

The first ground for rejection is that, the petitioner failed to maintain the balance of Rs.5,00,000/- (rupees five lakh) in his bank account one year preceding the date of application and the second one is that the affidavit in annexure – I was affirmed before a notary instead of First Class Judicial Magistrate.

It has been submitted by the learned advocate representing the State respondents that the declaration of vacancy notification has since been cancelled and a proposal for fresh declaration of vacancy has already been forwarded for approval and the same is awaiting.

Simply on making the application, no right has accrued in favour of the petitioner for getting the license as prayed for.

Without going into the legality of the grounds on which the application of the petitioner stood rejected, as it has been submitted that the earlier vacancy notification has been cancelled and a fresh one is awaiting, accordingly, the instant writ petition is disposed of by observing that it will be open for the petitioner to apply as and when notification of vacancy declaration is published by the State Government.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)