

17.03.2022
SL No. 53
Court No. 24
(P.M.)

WPA 4412 of 2022

Deb Kumar Dan
Vs
The State of West Bengal & Ors.

Mr. Debabrata Saha Roy,
Mr. Pingal Bhattacharyya,
Mr. Soumen Bhattacharjee
Mr. Subhankar Das
... for the petitioner

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu
... for the State

The petitioner is a M.R. Distributor. He was directed to set up a second counter for smooth distribution of the public distribution commodities. The petitioner is running the second counter for a considerable period of time.

Due to certain administrative difficulties and financial losses faced by the petitioner in running the second counter, he made an application for grant of a separate license in respect of the second counter which is operated by him.

The proposal of the petitioner was duly recommended by the respondent authorities of the district.

The Director of DDP&S in the year 2010 recommended the prayer of the petitioner for grant of license in respect of the second counter at Joypur District, Purulia.

Lastly the District Controller (Food and Supplies), Purulia by a communication dated 7th March, 2022 forwarded to the Deputy Director (Licence) the proposal for issuance of a separate distributorship license in his favour of the petitioner for the second counter at Joypur under Joypur Block, District Purulia.

The final order is yet to be passed by the Director of the Department of Food and Supplies.

As it appears that the prayer of the petitioner for grant of second licence in respect of the second counter is pending consideration at the end of respondent authority for a considerable period of time and the petitioner is facing administrative problem and financial losses, details whereof has been forwarded by the District Controller to the Deputy Director (licence), accordingly the instant writ petition is disposed of by directing the respondent No. 3 the Director of the Directorate, District Distribution Procurement & Supply (Food and Supplies) to take a decision with regard to the prayer of the petitioner for grant of second licence in respect of the second counter strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the prayer of the petitioner.

The petitioner is directed to forward all the documents in support of his prayer at the time of communicating the order to the aforesaid respondent.

The aforesaid respondent, if required, may offer an opportunity of hearing to the petitioner to place all the relevant documents in his support.

The writ petition is 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.)