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19.04.2022
d.p.

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

W.P.A 5856 of 2022

**Jamil Ahmed
-versus
State of West Bengal & Ors.**

**Mr. Debashis Sur,
Mr. Himadri Shekhar Paul.
...For the Petitioner.**

**Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu.
...For the State.**

**Mr. Biswanath Chakraborty,
Ms. Debolina Chakraborty.
...For the Private Respondent.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner draws attention of this Court to an order dated 18th June, 2019 passed in W.P. 20737 (W) of 2018 in the matter of Rabnawaj Khan –vs- The State of West Bengal & Ors. wherein the Court directed the Rationing Officer, Burnpur to consider and dispose of the application filed by the petitioner (Rabnawaj Khan) for renewal of licence within a specified time period.

Learned advocate appearing for the petitioner submits that a Title Suit is pending in respect of the premises where the rationing shop is located.

The petitioner would be adversely affected if the licence is renewed in the said premises.

Rabnawaj Khan has been impleaded as respondent No.3 in the present writ petition.

Learned advocate appearing for the State respondents submits that the issue with regard to renewal of licence is presently pending consideration before the Director of Rationing. The same is yet to be finalized by the said authority.

As it appears that the petitioner claims to be adversely affected if the licence is renewed in the said premises, accordingly, this Court thinks it fit to dispose of the writ petition by directing the Director of Rationing, before whom the issue is currently pending, to give an opportunity of hearing to all the necessary parties prior to taking a decision of renewal of licence in favour of the private respondent herein.

The Director of Rationing, Asansol shall dispose of the matter after hearing all the interested and necessary parties, strictly in accordance with law 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 all the parties immediately thereafter.

The writ petition stands disposed of.

The instruction given by the Deputy Director of Rationing, Asansol dated 13th April, 2022 be retained with the records.

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

(Amrita Sinha, J.)