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WPA 16053 of 2022

Chandan Kumar Mandal

-vs-

The State of West Bengal & others.

Mr. Suchindram Bhattacharjee
....for the petitioner

Mr. T. M. Siddiqui
Mr. Yash Singhi
...for the State-respondents

This is an application seeking a direction upon the respondents to consider the petitioner's representation dated 25.05.2022.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's father was a Fair Price Shop Owner under the Kakdwip Sub Division. But, his licence was terminated on a complain made by some local people. He challenged this termination by way of a writ petition before this Court which was numbered as W.P. No. 17774 (W) of 2011. During pendency of the writ application, the petitioner died. An application for substitution was made by the widow and the children of the writ petitioner. By an order dated 17.03.2022 passed by this Court, it was held that the right to sue did not pass on to the heirs of the deceased licensee. In view of the same, the application for substitution and the application praying for setting aside the

abatement stood dismissed. However, the applicants were granted liberty to make fresh representation praying for redressal of their grievances. Accordingly, the present petitioner, who is the son of the former Fair Price Shop Owner, made a representation dated 25.05.2022 before the respondent no. 5 praying for grant of dealership to a member of the family. Yet, till date the said representation has not been considered.

Learned counsel appearing on behalf of the respondents submits that the respondent no.5 would be in a position to consider the representation within a stipulated time.

I have heard the submissions of the learned counsels appearing on behalf of the petitioner and the State-respondents and have perused the writ petition.

It appears that a liberty was granted by this Court by an order dated 17.03.2022 passed in WPA 17774 of 2011 upon the applicants therein, which included the present petitioner, to make a fresh representation before the respondent authorities for redressal of the grievances. The same was duly made by a representation dated 25.05.2022. It is also fact that the same has not been taken into consideration as yet.

In view of the above, I direct the respondent no.5 to consider the representation made by the petitioner in terms of the earlier direction passed by this Court on 17.03.2022 in WPA 17774 of 2011, within a period of six weeks from the

date of communication of this order.

With these observations, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)