

17.03.2022
SL No. 165 & 167
Court No. 24
(P.M)

WPA 15699 of 2007
With
IA NO: CAN/1/2015(Old No: CAN/9379/2015)
+
CAN/2/2015(Old No: CAN/9380/2015)
+
CAN/3/2021
+
CAN/4/2021
+
CAN/5/2021

Ananda Biswas
Vs
The State of West Bengal & Ors.

With

WPA 30920 of 2008
With
IA NO: CAN/1/2021
+
CAN/3/2021
+
CAN/4/2021

Ananda Biswas
Vs
The State of West Bengal & Ors.

Mr. Atish Kumar Biswas
... for the petitioner.

Mr. Susovan Sengupta,
Mr. Subir Pal
... for the State

The original writ petitioner Ananda Biswas
expired during the pendency of the writ petition.

He filed the writ petition challenging the order of
the Sub-Divisional Controller (Food & Supplies) dated
5th June, 2007 by which a decision was taken for

grant of licence in favour of the private respondent Sri Binay Biswas. The private respondent Sri Binay Biswas is operating the M.R. Dealership since 2007.

The writ petitioner expired during the pendency of the writ petition. Application has been filed by his son praying for substitution.

In the facts and circumstances of the present case, I am of the opinion that after the death of the father of the petitioner the right to sue does not pass on to the son.

In the event the applicant herein being the son of the deceased Ananda Biswas the suspended licensee is aggrieved by the action of the respondent authority, then he may apply independently before the respondent authority highlighting his grievances.

The prayer for substitution in the present writ petition cannot be allowed.

The writ petitions stand dismissed.

The application for substitution and the connected applications stand dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)