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11.02.2022
d.p.

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

**W.P.A 21461 of 2021
(Via Video Conference)**

**Md. Irfan Alam
-versus
The State of West Bengal & Ors.**

**Mr. Partha Sarathi Deb Barman.
...For the Petitioner.**

**Mr. Susovan Sengupta,
Ms. Supriya Dubey.
...For the State.**

The petitioner is aggrieved by the act of the respondent authorities in taking a decision to grant licence in favour of the private respondent, even though the earlier licence which was issued in his favour stood cancelled allegedly on the ground of malpractice.

The petitioner is interested to obtain licence and has also filed an application for grant of licence in his favour.

It has been submitted that the process for grant of licence was initiated in the year 2014 and the same stood finalised in the year 2021.

The petitioner ventilated his grievances by filing a representation before the Secretary, Food and Supplies Department and before the Director, Directorate of DDP

and S. A further representation was also filed before the District Controller, Food & Supplies, Uttar Dinajpur.

As it appears that the licensing authority is the Sub-Divisional Controller and no representation has been filed by the petitioner before the said authority, accordingly, it will be open for the petitioner to make appropriate application along with all supporting documents highlighting his grievances before the Sub-Divisional Controller, Food & Supplies being the respondent No.4 herein within a fortnight from date.

In the event such a representation is filed, the aforesaid respondent shall consider the same strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties within a period of twelve weeks from the date of filing the representation and pass a reasoned order and communicate the same to all the parties immediately thereafter.

As the writ petition has been disposed of without calling for any affidavits, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)