

23 19.12.2022
NB Ct. 39

WPA 26574 of 2022

Nazrul Islam Shah
Vs.
The State of West Bengal & Ors.

Mr. Mohaimenul Mondal,
Mr. M. Hossain.
...for the petitioner.

Mr. T. M. Siddiqui,
Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Moulick.
...for the State.

This is an application under Article 226 of the Constitution of India directing the respondent authorities to consider the application of the petitioner for Fair Price Dealership near Keshaipur, Hariharpara Gram Panchayat covering Keshaipur, Komnagar and Fudkipara villages at Murshidabad.

Learned counsel appearing for the petitioner submits as follows. The respondent authorities issued a notification being Memo No.284/SCFS/BER/2-19 on 12.02.2019 inviting applications for FPS dealership for the particular area. The petitioner filed an application for such Dealership in March, 2019. The petitioner did not get any response from the authorities in this regard. Therefore, he made a representation on 04.04.2021. On 24.03.2022, the respondent authorities issued an enquiry notice stating that enquiry would be done on 29.03.2022. The same was done. However, after that the petitioner was not intimated about the fate of his application. He had to make a representation in this regard, but quite in vain,

Learned counsel appearing on behalf of the State submits that the State would not come in the way if a direction is passed upon the respondent authorities that in the event the application of the petitioner had not been considered, the same should be considered in accordance with law.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition.

It appears that the petitioner has not been intimated about the fate of his application for FPS dealership in the particular area.

Therefore, in the event the petitioner's application had not been taken into consideration, the respondent no.3 shall consider the petitioner's application and decide the same in accordance with law within four weeks from this date and communicate the decision to him within two weeks from the date of the decision.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)