

WPA 27017 of 2022

Mr. R. A. Agarwala
Ms. Nibedita Pal
Mr. A. G. Mukherjee
Ms. Sonam Ray

...for the petitioner

Mr. T. M. Siddiqui
Mr. Tapas Ballav Mondal

...for the State

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondents, more particularly, the respondent no.5 to consider the representation of the petitioner dated 11.07.2022 in respect of re-notifying the vacancy against the vacancy notification no. 06/SCFS/SURI/BIRBHUM/2022 dated 03.01.2022.

An affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. Along with others, the petitioner had applied SCFS dealership. An inquiry was undertaken. However, it was found that the respondent authorities were about to re-notify the vacancy because the godown space was purportedly were inadequate. However, from other relevant documents of the respondents, it is clear that the

petitioner satisfied the condition regarding the space in the godown and the office. For reasons not known to the petitioner, a decision was rather unceremoniously taken to re-notify the vacancy. At present, it would suffice if the respondent no.5 considers the representation in question made by the petitioner.

Learned counsel for the State submits that it was found by the relevant authorities that the godowns space was inadequate. That is why an effort was being made to re-notify the vacancy.

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's representation in question is still pending.

In view of the same, let the respondent no.5 consider the petitioner's representation dated 11.07.2022 within six weeks from this date after hearing the interested parties including the petitioner and communicate the decision taken to the petitioner within two weeks therefrom.

Till the decision is taken by the respondent no.5 and intimated to the petitioner, the respondents may take steps in this regard, but not finally appoint anyone in respect of the present vacancy notification or re-notification, if any.

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.)