

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 8421 of 2023

**Md. Javed Sarwar
Vs.
The State of West Bengal & Ors.**

Mr. Sankar Paul
Mr. Imtiaz Ahmed
Ms. Tapati Sankar
..for the petitioner

Item No.11

Heard & Judgment on: 12.06.2023

Bibek Chaudhuri, J.

Affidavit of service be kept with the record.

By an order dated 13th September, 2011 in W.P. 18735 (W) of 2011 a Co-ordinate Bench of this Court quashed an order passed by the District Controller, Food & Supplies, Murshidabad confirming the order of Sub-Divisional Controller terminating MR Dealership licence of the petitioner and directed the respondents to reconsider the representation/showcause filed by the petitioner after giving

opportunity of fresh hearing given to him and also directed the respondent/Appellate Authority to pass reasoned order within a period of eight weeks.

In compliance of the order of this Court in W.P. 18735 (W) of 2011 on 5th January, 2012 the District Controller and E.O., Assistant Director, Food & Supplies, Murshidabad passed a reasoned order giving opportunity to the petitioner of hearing. The District Controller came to the conclusion that FPS Dealer/petitioner violated the provisions of WPPDS (M & C) order, 2003. Accordingly, his licence was cancelled. The petitioner has approached this Court after a lapse of more than nine years stating, inter alia, that the above mentioned impugned order was communicated to him on 11th December, 2020.

It is needless to say that when FPS licence of a petitioner is cancelled, he is the worst sufferer and when he was able to demonstrate his luxury to wait for eight years for having the impugned order and subsequently come up with the instant writ petition challenging an order dated 4th April, 2012 in the year 2021, the petitioner is not entitled to get any relief under the facts and circumstances of this case.

Moreover, on perusal of the impugned order, I find that the respondent authority has duly complied with the order passed by this Court in W.P. 18735 (W) of 2011. Accordingly, I do not find any

reason to admit the instant writ petition and the same is summarily dismissed.

(Bibek Chaudhuri, J.)