

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Before:

The Hon'ble Mr. Justice Jay Sengupta

WPA 10246 of 2023

Munshi Jahanara Khatun
Vs.
The State of West Bengal & Anr.

For the Petitioner : Mr. Krishnendu Bera,
Ms. Debolina Chakraborty.

For the State : Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag.

Heard on : 10.05.2023

Judgement on : 10.05.2023

Jay Sengupta, J. :

1. This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to consider the prayer of the petitioner to restore license of the petitioner for MR dealership without further delay.

2. Affidavit of service filed on behalf of the petitioner is taken on record.
3. Learned Counsel appearing on behalf of the petitioner submits as follows.
Between 1997 and 1998, the present petitioner was granted licence for running MR dealership and Kerosene dealership at Village and Post Office- Sabal Singhapur, Police Station-Kahanakul, District-Hooghly. Thereafter, the proprietorship was converted into a partnership with one Nazia Begum. In the year 1998, a licence was granted. In 2011, the petitioner had mistakenly tendered his resignation. The other partner, thereafter, made a claim for sole ownership of the business. This Court directed the respondent authorities to consider the representation of the other partner. Her prayer was finally turned down by S.C.(F&S) on 02.09.2016. The petitioner's case is that the petitioner did not resign willfully and wants to get back the dealership licence now.
4. Learned Counsel appearing on behalf of the State files a copy of the order dated 19.03.2019 passed by the respondent no.4 rejecting the petitioner's application for dealership licence.

A copy of the order of the order, as filed in Court, is taken on record.

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

6. It appears that the relief of consideration of the petitioner's prayer has already been decided. A copy of the order is being handed over to the learned counsel for the petitioner.
7. However, it is quite surprising that the same was not communicated to the petitioner earlier.
8. Be that as it may, no further order need be passed in this writ petition.
9. With these observations, the writ petition is disposed of.
10. The petitioners shall be at liberty to challenge the order in accordance with law.
11. Since affidavits have been called for, the allegations made in this writ petition are not admitted by the parties.
12. Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)