

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

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

WPA 10626 of 2022

**Samim Jyoti
Vs.**

State of West Bengal & Ors.

**For the petitioner : Mr. Krishna Deo Das,
Mr. Debashri Bose**

**For the State : Mr. Sirsanya Bandopadhyay,
Ld. Junior Standing Counsel
Mr. Arka Kumar Nag**

Judgement on : 30.08.2023.

Bibek Chaudhuri, J.

The petitioner is one of the applicants praying for grant of licence of fair price shop dealership as per vacancy notification dated 11th March, 2020 in respect of Village Bhusna, Post and G.P. Kamarkole, P.S. Diamond Harbour within Diamond Harbour-II Development Block in the district of South 24-Parganas.

His application was not considered for selection which prompted him to file the instant writ petition registering a challenge against the selection process. At the time of hearing, the learned Advocate for the petitioner refers to a decision of this Court in WPA 9700 of 2022

(Latib Ali Paik Vs. The State of West Bengal & Ors., decided on 16th August, 2023) wherein this Court cancelled the selection process carried out by the State respondents in connection with vacancy notification dated 11th March, 2020 and directed Sub-Divisional Controller, Food and Supplies Department, Diamond Harbour to cause fresh enquiry for selection of FPS Dealer.

Since petitioner is one of the candidates, his case be also considered in the enquiry process as per the direction passed by this Court in WPA 9700 of 2022.

It is made clear that this Court does not look into the merit of the instant writ petition and decides this case directing the State respondents to consider his application for FPS dealership. The State respondents are at liberty to conduct fresh enquiry in accordance with law without being influenced in any way in any of the above observations made by this Court while disposing of the instant writ petition.

The instant writ petition is accordingly disposed of.

(Bibek Chaudhuri, J.)

**Mithun
A.R. (Ct).
SI No.15.**

