

11th December,
2023
(AK)
16

W.P.A. 18468 of 2023

Swapan Kumar Sinha
Vs.
The State of West Bengal and others

Mr. Sajal Kumar Ghosh
...for the petitioner.

Mr. Amal Kr. Sen
Mr. Jaladhi Das
...for the State.

1. Affidavit-of-service filed in court today be kept on record.
2. The petitioner challenges the grant of ration distributorship by the Food and Supply Department, Government of West Bengal in favour of the private respondent.
3. It is argued that the petitioner is one of the villagers and the distributorship was given to the private respondent who is not a local villager.
4. It is further submitted that no proper publication in the local newspaper was done prior to such grant of distributorship to the private respondent.
5. Learned counsel for the State opposes the submission and submits that there is no mention of the allegations now made from the bar in the purported representation by the villagers annexed to the writ petition.

6. That apart, it transpires from paragraph no.2 of the writ petition that a notification was duly issued on March 22, 2023 vide Notification No.87/EFS/2023 by a newspaper publication dated February 23, 2023.

7. Since it is an admitted position as per the pleadings in the writ petition that a newspaper publication was made, which purportedly prompted the petitioner to prefer the instant challenge, the argument that proper notification was not published, cannot be accepted.

8. In any event, nothing has been shown by the petitioner despite repeated query from the court to establish the proposition that a ration distributorship has to be restricted exclusively to the local villagers.

9. In any event, such allegation having not been made specifically in the representation as well, which merely states that local people have been excluded in grant of distributorship, there is no occasion or necessity to interfere under the writ jurisdiction with the grant of MR dealership to the private respondent.

10. Accordingly, WPA 18468 of 2023 is dismissed on contest without any order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)