

29.11.2023

Ct. no.654

Sl. Nos.2

sn

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

WPA 24378 of 2023

**Md. Shamim Akhter
Vs.
The State of West Bengal & Ors.**

Mr. Mahammad Mahmud
Mr. M.S. Molla
Mr. Asif Ikbali Baidya
for the petitioner
Mr. Suman Sengupta
Mr. A. Mondal
..for the State

Affidavit of service filed by the petitioner is taken on record.

This writ petition has been filed under Article 226 of the Constitution of India by the petitioner for considering the representations dated 10th December, 2020 and 13th March, 2023 submitted before the respondent no.3 for change of his supplier of Kerosene oil.

The brief fact of the case is that the petitioner who is a sub-dealer of Kerosene oil, by the aforementioned representation prayed before the appropriate authority for changing his supplier M/s. Rajendra Prasad Gupta and replace it by M/s. S.K. Nandy.

Mr. Mahammad Mahmud, learned advocate for the petitioner submits that in spite of repeated representations being made before the respondent no.3,

such representations have not been considered as yet for change of supplier of Kerosene Oil.

Mr. Suman Sengupta, learned advocate representing the State-respondents submits that there is no scope under the law to consider such representations for change of supplier of Kerosene Oil. He also submits that M/s. Rajendra Prasad Gupta is a necessary party in the present writ petition.

Having heard the learned advocates for the respective parties, the respondent no.3, Sub-Divisional Controller (Food & Supplies) Sadar Hooghly, is directed to dispose of the representations of the petitioner dated 10th December, 2020 and 13th March, 2023 within a period of three months from the date of communication of this order after giving an opportunity of hearing to all concerned parties including M/s. Rajendra Prasad Gupta and shall communicate the result of such disposal to the petitioner within a week thereof.

Since no affidavit-in-opposition is directed to be filed by State-respondents, hence the contention made in writ petition is deemed to be not admitted by the State-respondents.

With the aforesaid observations, this writ petition stands disposed of.

There will be, however, no order as to costs.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously upon compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)