

19.02.2024

Ct. no.654

Sl. No.12

ss

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 76 of 2024

Kalipada Dinda
Vs.
State of West Bengal & ors.

Mr. Prahlad Chandra Ghosh
Mr. Subir Hazra
... for the petitioner

Mr. Supratim Dhar
Mr. Amritalal Chatterjee
... for the State

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

Mr. Prahlad Chandra Ghosh, learned Advocate for the petitioner submits that the respondent no.5 has been appointed as FPS licence on 13th July, 2023. However, the petitioner was not informed of any notification of the Government for filling up of vacancy. In the above premise, the petitioner along with some of the other villagers made a representation on 17th July, 2023 before the concerned authority for cancellation of licence granted to respondent no.5. He seeks for appropriate order upon the Sub-Divisional Controller, Food and Supplies, Kharagpur, respondent no.4, for considering the aforesaid representation of the petitioner.

Mr. Amritalal Chatterjee, learned Advocate for the State-respondent submits that the respondent no.5 has

been appointed on the basis of vacancy notification dated 10th May, 2022. Therefore, the allegation made in the representation that the petitioner did not have the information/knowledge of filling up of vacancy is not sustainable. He seeks for dismissal of the writ petition.

It is not in dispute that the respondent no.5 has been engaged as FPS dealer on the basis of FPS vacancy notification under Memo No.381/SCFS/KGP/2022 dated 10th May, 2022. Since the Government has issued the notification as appearing in Annexure P3 (page 14 of the writ petition), the contention of the petitioner that such notification was not made known to him it is not at all acceptable. Hence, the writ petition falls short of merit.

Accordingly, the writ petition being **W.P.A. 76 of 2024** stands dismissed.

All connected applications, if any, stand dismissed.

Interim order, if any, stands vacated.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)