

09.02.2024

Ct. no.654

Sl. No.11

ss

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

W.P.A. 2567 of 2024

Madhu Mallick
Vs.
The State of West Bengal & ors.

Mr. Shamit Sanyal
Ms. Shahana Naznin
Ms. Priyakshi Banerjee
... for the petitioner

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

Mr. Shamit Sanyal, learned Advocate for the
petitioner submits that the mother of the petitioner was
the original FPS dealership licence holder. On the ground
of medical incapacitation of the mother (the original
licence holder), the petitioner being the dependent son
applied for getting FPS licence in his name. However,
since filing of such application on 20th April, 2023, the
authority concerned has not intimated the petitioner of
the result of such application. For such reason the
petitioner is constrained to file the present writ petition.

Despite service none appears on behalf of the State-
respondent.

Mr. Suman Sengupta, learned Advocate along with
Mr. Amritalal Chatterjee, learned Advocate, who usually
appears on behalf of the State, is requested to appear in
this matter. Let appointment of Mr. Suman Sengupta,

learned Advocate along with Mr. Amritlal Chatterjee, learned Advocate be regularised by the concerned authority.

Learned Advocate for the petitioner is requested to hand over copy of the writ petition along with its annexures upon Mr. Suman Sengupta, learned Advocate for the State-respondent.

Mr. Sengupta, learned Advocate for the State-respondent submits that a direction be passed upon the respondent no.5, Sub-Divisional Controller, Food and Supplies, Burdhaman Sadar, Purba Burdhaman for considering the application of the petitioner within the stipulated period of time.

Having heard the learned Advocates for the respective parties, the Sub-Divisional Controller, Food and Supplies, Burdhaman Sadar, Purba Burdhaman, being respondent no.5, is directed consider and dispose of the application of the petitioner dated 20th April, 2023 for engagement for FPS dealership within a period of two months from the date of communication of this order, in accordance with law.

The result of such disposal shall be communicated to the petitioner within a period of one week from the date of passing of such order.

Petitioner is directed to communicate this order to the respondent no.5, Sub-Divisional Controller, Food and Supplies, Burdhaman Sadar, Purba Burdhaman.

Since no affidavit-in-opposition has been directed to be filed, the allegations made in the writ petition are deemed to be not admitted.

It is made clear that this Court has not gone into the merits of the writ petition.

With the above observations, this writ petition being **W.P.A. 2567 of 2024** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

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

(Bivas Pattanayak, J.)