

02.12.2024
Sl. No. M/L 08
g.b.
Court No.24
266011

WPA 2730 of 2024

Apurba Roy
-Vs-
State of West Bengal & Ors.

Mr. Ayan Kumar Boral
.....For the Petitioner
Mr. Jayanta Samanta
Ms. Indumouli Banerjee
.....For the State

Exception on behalf of the petitioner in the form of an affidavit to the report filed by the State respondents is taken on record.

Supplementary affidavit filed on behalf of the petitioner is also taken on record.

Petitioner is an FPS dealer licensed by the office of the Sub-Divisional Controller, Food and Supply, Candi, Murshidabad. Petitioner challenged an action of the respondent authorities on the ground that the respondent authority in one hand was not providing required allotment of ration goods to the FPS, on the other hand they imposed punishment for not distributing the ration goods through Duara Ration Scheme.

By way of supplementary affidavit the petitioner has demonstrated the deficit of foodgrains which were not delivered from the distributor to the

petitioner to supply them through Duara Ration Scheme. At the time of filing the instant writ petition, the petitioner is under apprehension that the authority concerned may take a severe step in respect of his licence.

Mr. Boral, learned counsel appearing on behalf of the petitioner submits that the authority concerned has illegally proceeded to inspecting the FPS of the petitioner and by virtue of the said alleged inspection report, they have issued a suspension notice and the business of the petitioner was stalled. DRC populations were tagged with nearby ration dealer.

On submission of the learned counsel, Mr. Boral, it appears to me that the instant writ petition now has lost its merit. The authority concerned has already taken a specific step against the petitioner and the petitioner is aggrieved by the action of the authority. However, the same issue cannot be considered in this writ petition. Thus, I find no justification to proceed further with this writ petition.

Under the above observation, the instant writ petition is disposed of as devoid of merit.

I make it clear that this court has not entered into the merit of this case and all the points of

challenge in the writ petition as well as the challenges against notice of termination/suspension issued by the concerned authority is kept open.

The writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after completion of all necessary formalities.

(Subhendu Samanta, J.)