

20.02.2024

Ct. no.654

Sl. No.9

sn

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

WPA 2775 of 2024

**Lal Babu Shaw
Vs.
State of West Bengal & Ors.**

Mr. Shyamal Kumar Das

Mr. Ajay B. Ray

Ms. Smita Pal

Ms. Krishna Yadev

..for the petitioner

Mr. Suman Sengupta

Mr. Amrita Lal Chatterjee

Mr. Sanata Panja

..for the State

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

This writ petition under Article 226 of the Constitution of India is filed by the petitioner for a direction upon the Directorate of Rationing, Food & Supplies Department, Government of West Bengal, being the respondent no.2 for releasing raised bills/claims pertaining to June 2023 to January, 2024.

Mr. Shyamal Kumar Das, learned advocate for the petitioner submits that the petitioner is a FPS dealer within Rishra, District Hooghly. Despite running the Fair Price Shop he has not received commission for the period from June, 2023 to January, 2024. Hence, this writ petition. Learned advocate for the petitioner during hearing informs the Court that his client has already

received a sum of Rs.1,56,957/- on 12th February, 2024. However, there is an outstanding due of Rs.40,313/-. He seeks for appropriate orders. He files screenshots of mobile messages which is taken on record.

Mr. Suman Sengupta, learned advocate for the State respondents submits that the entire outstanding dues of the petitioner has been paid to him by the concerned authorities.

Upon hearing the learned advocates for respective parties and considering the materials on record, the petitioner is directed to submit a representation before the Directorate of Rationing, Food & Supplies Department, Government of West Bengal, being the respondent no.2 in respect of outstanding dues, if any, within a period of 15 days from date of this order. Upon submission of such representation, respondent no.2 shall consider and dispose of the representation of the petitioner within a period of two months from the date of submission of the said representation after giving an opportunity of hearing to all concerned parties including the petitioner in accordance with law.

The result of such disposal be communicated to the petitioner within a week thereof.

Learned advocate-on-record for the petitioner is directed to serve a copy of this order upon the Directorate of Rationing, Food & Supplies Department, Government of West Bengal, being the respondent no.2.

Since no affidavit has been invited, allegation contained in the writ petition shall be deemed not to have been admitted.

It is made clear that the Court has not gone into the merits of the case.

With the above directions, this writ petition being **WPA 2775 of 2024** stands disposed of along with all connected applications, if any.

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

Interim order, if any, stands vacated.

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

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)