

09.04.2024

Ct. no.654

Sl. No.7

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

W.P.A. 6237 of 2024

Md. Alauddin & ors.

Vs.

The State of West Bengal & ors.

Mr. Shed E. Huda

Mr. Nabeela Akbar

Mr. Sk. Aptabuddin

... for the petitioners

Mr. Suman Sengupta

Mr. Amritalal Chatterjee

Mr. Sanatan Panja

... for the State

The writ petitioners press prayer (b) of the writ petition for tagging the ration card holders from the fair price shop of the petitioners to some other fair price shop which is nearer to Charbajitpur, Police Station-Raghunathganj, District-Murshidabad.

The petitioners are the licence holders of fair price shop situated at Sahajadpur under Police Station Raghunathganj, District Murshidabad and they have been carrying on such business since the year 2000. In the year 2005-2006, the ration card holders of village Charbajitpur was tagged with the fair price shop of the petitioners. The PDS goods in respect of both the godowns are being delivered to the petitioners' godown at Sahajadpur and the petitioners are required to transport the goods to the second godown at Charbajitpur at their

own costs. The petitioners made representation on 29th January, 2024 raising such grievance, however, the representation has not been considered. Hence, this writ petition.

Mr. Syed E. Huda, learned Advocate for the petitioners submits that due to tagging of the beneficiaries of village-Charbajitpur with the Fair Price Shop of the petitioners, they are facing great difficulties in transporting the PDS items from their godown to the second godown at Charbajitpur. He seeks for de-tagging of the beneficiaries from the Fair Price Shop of the petitioners and tagging it to a nearest Fair Price Shop at Charbajitpur.

Mr. Suman Sengupta, learned Advocate for the State-respondent submits that already approval for filling up of vacancy of FPS dealership at Charbajitpur has been made. Due to the ensuing General Election, 2024, the vacancy notification could not be published. As per instruction received from the concerned department, the vacancy notification in respect of Charbajitpur will be published soon after the conclusion of General Election, 2024. He files a copy of the instruction, which is taken on record. He also undertakes to hand over copy of such instruction to the learned Advocate for the petitioners.

It is found from the above instruction that the publication of vacancy notification for engagement of fair price shop dealership at Charbajitpur is going to be

undertaken soon after the General Election, 2024. Accordingly, the respondent no.5, the Sub-Divisional Controller, Jangipur, Murshidabad is directed to take appropriate steps for publication of the vacancy notification in respect of Charbajitpur, Police Station-Raghunathganj, District-Murshidabad soon after the conclusion of General Election, 2024. The respondent no.5 is further directed to conclude the process of engagement of FPS dealership at Charbajitpur preferably within three months from date of closure of submission of applications.

With the above directions, this writ petition being **WPA 6237 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.)