14.05.2024
Ct. 654
Sl.no.8
ss

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

C.P.A.N. 556 of 2024
in
WPA 132 of 2024

Sachindra Nath Saha
-Vs-
Qudsia Zarrin, Sub-Divisional Controller, Food & Supplies, Government of West Bengal

Mr. Subhendu Banerjee
... for the petitioner

Mr. Suman Sengupta
Mr. Sambuddha Dutta
Mr. Sanatan Panja
... for the alleged contemnor

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

Mr. Subhendu Banerjee, learned Advocate for the petitioner submits that the order dated 10th January, 2024 passed in W.P.A. 132 of 2024 has been deliberately and willfully violated by the respondent no.5, the Sub-Divisional Controller, Food & Supply, Government of West Bengal, Baruipur, South 24-Parganas in not concluding the process of selection of FPS dealership in respect of subject vacancy within the stipulated period of two months as directed in the order. He seeks for issuance of a rule of contempt.

In reply to the said contention, Mr. Suman Sengupta, learned Advocate for the alleged contemnor

submits that pursuant to the order passed by this Court on 10th January, 2024 in W.P.A.132 of 2024 process for filling up the vacancy for the subject location has already been initiated and it will take another 15 days time to finalise the selection process. He files a report of action taken in compliance to order of this Court dated 10th January, 2024 of the Sub-Divisional Controller, Food & Supplies, Government of West Bengal, Baruipur, South 24-Parganas, which is taken on record.

By order dated 10th January, 2024 following direction was issued :

> *"Upon hearing the learned Advocates for the respective parties, the respondent no.5 being the Sub-Divisional Controller, Food & Supply, Government of West Bengal, Baruipur, South 24-Parganas is directed to process the applications submitted by applicants including the application of the petitioner for filling up of vacancy of fair price shop dealership in respect of the vacancy notification being Memo No.371/SC/FS/BRP/ FPS/VACAN/22 dated 26th March, 2022 expeditiously, preferably within a period of two months from the date of communication of this order, in accordance with law."*

It is found from the aforesaid order that direction was passed upon the respondent no.5 to process the application submitted by the applicants expeditiously, preferably within a period of two months from the date of communication of the order, in accordance with law. From the report submitted by the alleged contemnor it is found that the process has been initiated and there is

requirement of another 15 days period for taking final decision. In view of the above, this Court does not find any merit in the contempt application.

Accordingly, the contempt application **CPAN 556 of 2024** stands dismissed.

(**Bivas Pattanayak, J**.)