

04.7. 2024
item No.1
n.b.
ct. no.24

WPA 14357 of 2024

**Abdul Malek & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Sufi Kamal,
Ms. Shireen Hossain,
..... for the petitioners.
Mr. Suman Ghosh,
Mr. Kaushik Chowdhury,
..... for the State.
Mr. Pinaki Ranjan Chakraborty,
.... For the private respondent.

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

One Samsul Haque, one MR Dealer, who expired on 6.7.2023. His first wife, namely, Halema predeceased him on 4.2.2009. The present petitioners are sons of first wife of Samsul Haque. Respondent no.5 is the second wife of the deceased MR dealer. Present petitioners submitted an application for transfer of licence standing in the name of deceased MR dealer in faour of present petitioners under compassionate ground.

It is the submission of the learned advocate for the petitioners that the concerned authority did not take any steps regarding the representation of the present petitioners submitted on September 22, 2023. It appears that present respondent no.5 is the surviving spouse of

the deceased MR dealer. However, the present petitioners are also sons of the first wife of the deceased MR dealer.

Considering the entire situation, the instant writ petition is disposed of with a direction to the concerned authority i.e respondent no.2 to dispose of the representation of the present petitioners according to law and rules made thereunder in relevant Control Order. The respondent no.2 shall award the sufficient opportunity to the parties of being heard and after hearing all the parties, shall pass a reasoned order within four weeks from the date of communication of this order. The reasoned order shall be communicated to the parties within two weeks thereafter.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)