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Ct-08

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MAT 2139 of 2023

with

I.A No. CAN 1 of 2023

Munshi Ahmadul Karim

Vs.

State of West Benal & Ors.

Mr. Anjan Bhattacharya

Ms. Anita Shaw

... For the Appellant

Mr. T.M. Siddiqui

Ms. Amrita Panja Moulick

... For the State

1. We have heard the learned counsel appearing for the parties.

2. The appellant/petitioner is aggrieved by an order dated 29th August, 2023 passed in the writ petition in which he has prayed for consideration of his representation in respect of the dealership of Fair Price Shop at village Simchak under Khanakul Police Station, District-Hooghly. The appellant alleged that he had applied for dealership with all the requisite documents but there is every possibility that the authorities may allot the said Fair Price Shop to the private respondent disregarding the suitability. Learned Single Judge dismissed the writ petition of the petitioner as the same was premature, since no allotment was made by that date.

3. Ms. Amrita Panja Moulick, learned counsel appearing on behalf of the State, has filed a report of the Sub-Divisional Controller, Food & Supplies, Arambagh, Hooghly and submitted that upon discreet enquiry and physical enquiry along with on-line enquiry report and on receiving approval from the authorities concerned the licence has been issued in favour of Kakali Hait on 17th October, 2023. The said report is taken on record.

4. We dispose of this appeal by directing the respondent no. 2 to communicate the reason for not accepting the application of the appellant for the said Fair Price Shop within a period of two weeks from date.

5. It would be open for the appellant to take appropriate steps in accordance with law upon receiving the said communication.

6. In view of the aforesaid, the appeal being MAT 2139 of 2023 stands disposed of.

7. In view of the disposal of the appeal, nothing remains to be decided in the application being CAN 1 of 2023 and the same is accordingly disposed of.

8. However, there shall be no order as to costs.

9. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)