

04.12.2024
SL No.18
Court No.24
Ali

WPA 27894 of 2024

**Sujan Talukdar
Versus
The State of West Bengal & Ors.**

Mr. Ramesh Dhara,
Ms. Mousumi Choudhury
...for the petitioner.

Mr. Suman Sengupta
Ms. Amrita Panja Moulick
....for the State.

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

The Sub-divisional Controller, Food and
Supplies, Raiganj issued a vacancy notification on
16th of November, 2022 for filling up FPS vacancy at
the central location of Barua near Barua Primary
School.

Petitioner has applied for the licence through
online application which was acknowledged on 30th
December, 2022. Field enquiry was conducted at the
proposed shop-cum godown of the petitioner on 21st
April, 2023. Thereafter, the petitioner was called for
personal hearing at the office of the District
Controller (F&S), Uttar Dinajpur on 20th August,
2024. The petitioner appeared before the authority
on the fixed date and personal hearing was
conducted.

It is the case of the petitioner that since then the authority has not taken any decision regarding filling up vacancy.

Mr. Dhara, learned counsel appearing on behalf of the petitioner submits that the vacancy was declared in the year 2022. All the formalities have been complied with but due to unknown reasons the matter was not finalized.

The petitioner has placed a representation before the Secretary, Food and Supply Department, Government of West Bengal on 17th September, 2024. The representation of the petitioner was not answered.

Hence this writ.

Learned counsel appearing on behalf of the State authority seeks accommodation to demonstrate the matter before this Court.

It appears that the writ petitioner before this Court has appeared with the innocuous prayer so that his representation may be considered by a competent authority. The Secretary, Food & Supply Department is the highest authority of the concerned department before whom, the petitioner has approached. The Secretary, Food & Supply Department is duty bound to answer the representation.

Considering the submissions, the instant writ petition is disposed of with a direction to the respondent No. 1 being the Secretary, Food and Supplies Department, Government of West Bengal to answer the representation of the petitioner being annexure –IV of this writ petition (dated 17.09.2024) within six weeks from date of communication of this order, after giving a reasonable opportunity of being heard to the petitioner or his legal representative.

The authority concerned must intimate the decision to the petitioner within two weeks thereafter.

I make it clear that this Court has not entered into merit of this matter. All issues are kept open to be decided by the competent authority concerned.

As the affidavits are not exchanged, the allegation made in the writ petition shall be deemed to have been not admitted.

Under the above observation, the writ petition is disposed of.

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

(Subhendu Samanta, J.)