

04.12.2024
Sl. No. 41
g.b.
Court No.24
266011

WPA 28194 of 2024

Binod Kumar Agarwal
Vs.
The State of West Bengal & Ors.

Syed E. Huda
Sk. Aptabuddin
Mr. N. Akbar
.....For the Petitioner

No one appears on behalf of the State, despite service.

The writ petitioner is running a fair price shop under the licence of the concerned Food and Supply Department, Government of West Bengal. It is the case of the petitioner that one person, namely, Binod Kumar Agarwal is an experienced person in distribution of PDS commodities and actually he supplies the PDS commodities and is adept with the running of e-Pos machine on behalf of the petitioner. Now, the petitioner has made a representation before the concerned authority on 25th September, 2024 with a request to transfer his licence in favour of Binod Kr. Agarwal. It is the case of the petitioner that the concerned authority has not considered his representation. So, he seeks necessary direction

upon the concerned authority so that his representation may be disposed of according to law.

Having heard the petitioner it appears to me that there is no provision in the Control Order to transfer a fair price shop licence on request of FPS dealer in the name of another person. There is a certain provision of law for appointing a fair price shop dealer. The prayer for transfer of fair price shop licence before the authority appears to me not justified in the law.

Under the above observation, I find no justification to entertain the instant writ petition.

Accordingly, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after completion of all necessary formalities.

(Subhendu Samanta, J.)