

13.12. 2024
item No.9
n.b.
ct. no.24

WPA 29524 of 2024

Tapan Mahato

Vs.

State of West Bengal & Ors.

Mr. Ram Anand Agarwala,
Ms. Nibedita Pal,
Mr. Ananda Gopal Mukherjee,
Ms. Sonam Ray,
Ms. N. Khatoon,
..... for the petitioner.

Mr. Suman Sengupta,
Mr. Sambuddha Dutta,
Mr. Sanatan Panja,
..... for the State.

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

Present petitioner running FPS business over the concerned area. He distributed food grains among the beneficiaries from the stocks supplied by the distributor as per allotment made by the authorities. It appears from allotment sheet of November and December 2004 that there are 20% curtailment of the gross allocation. On query from the office of SCFS, he received the information that E-pos Machine shows some stock but the same is not available physically, reasons thereby 20% allotment was curtailed.

Under the above circumstances, present petitioner made a representation to the authority wherefrom it comes to knowledge of the petitioner that mis-match

appears due to the wrong entry by the IT and Reform Cell of the concerned department.

Learned counsel appearing on behalf of the State submits that State authority concerned has not taken a particular steps against the present petitioner for alleged mis-match in the E-pos Machine as well as physical delivery of supply. However, learned counsel appearing on behalf of the State Authority submits that necessary direction may be passed upon the concerned authority to look after the grievances of the petitioner.

Having heard learned counsel for the parties and also considering the fact, it appears from the data narrated in the writ petition that there are some curtailment of allocation of food grains. The petitioner has placed the reasonable grievances. Hence, authority concerned should have consider the representation of the petitioner and shall disposed of the same by passing a reasoned order.

The respondent no.5 SCFS concerned is directed to take a reasoned decision as directed herein-above after giving reasonable opportunity of hearing to the petitioner.

The petitioner must approach to the authority with a fresh representation within one week from the date.

The petitioner is also at leave to produce the necessary documents in respect of his claim before the authority concerned. The authority concerned shall dispose of the representation within six weeks from the

date and shall intimate the decision of the petitioner within two weeks the thereafter.

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

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

I make it clear that this Court has not gone into the merits of the matter, the concerned authority is at leave to decide the matter independently, according to law, without being influences by any observation of this Court.

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

(Subhendu Samanta, J.)