

13.12. 2024
item No.14
n.b.
ct. no.24

WPA 29568 of 2024

Rafikul Islam.
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.
Ms. Sonal Sinha,
Ms. Ashimts Ghosh,
..... for the State.

Petitioner is MR dealer. Nearby one Sahar Banu & Abdus Sattar were also running FPS shop. It appears to the petitioner that the stock of PDS of Sahar Banu & Abdus Sattar was attached with the present petitioner as shown in the e-PoS machine. It is the case of the petitioner that no physical stock was reached to the FPS of the petitioner appropo of the e-PoS machine. He made a representation with the authority, the authority has corrected the error. It is the case of the petitioner that again the same error has crept upin the e-PoS machine. He made a representation before the authority being annexure P-8; the authority has not taken any steps.

Ms. Sinha, learned counsel appearing on behalf of the State authority submits that the authority has once considered the representation of the petitioner, there may have some error, the authority may be given sufficient

opportunity to dispose of the representation after hearing all the interested parties.

Considering the submission of the learned counsels, it appears to me that the respondent authority shall have to dispose of the representation of the petitioner as appeared in annexure P-8 of the writ petition.

The petitioner is directed to submit the copy of representation of the authority concerned to the respondent no.4 (District Controller Food and Supply) together with copy of this order within two weeks from date.

Petitioner is at leave to file necessary documents in support of his representation. After receiving the representation, the concerned authority shall dispose of the representation by passing a reasoned order after giving sufficient opportunity of being heard to all the interested parties within six weeks from date of this order and shall intimate the same to the parties within two weeks thereafter.

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

As the affidavits are not exchange, allegation made in the writ petition shall be deemed to have been 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 influenced 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.)