

17.2. 2025
item No.25
n.b.
ct. no. 24

WPA 1345 of 2025

Bapi Mandal

Vs.

The State of West Bengal & Ors.

Mr. Anindya Sundar Das,
Mr. Shaunak Ghosh,
Mr. Syed Ali Afzal,
Ms. Paramita Mondal,
Ms. Suva Gayen
Mr. Suman Halder,
..... for the petitioner.
Mr. Suman Sengupta,
Ms. Rajyashree Mukherjee,
..... for the State.

Affidavit of service and Supplementary affidavit
filed by the petitioner are taken on record.

Petitioner challenged the appointment of private
respondent as FPS dealer of Domkal Sub-Division. It is
the case of the petitioner that one of the relative of the
private respondent having dealership license. During
the course of submission, supplementary affidavit was
forwarded wherefrom it was submitted by the petitioner
that father's, sister's husband of the private respondent
is a dealer of FPS license.

It is further argued on behalf of the petitioner that
his candidature was rejected without assigning any
reason. So, he prayed for necessary direction upon the
State authority to file a report regarding the reason for
cancellation of his candidature.

Learned counsel Ms. Rajyashree Mukehrjee represented on behalf of the State.

Having submission of the parties, it appears to me that according to the Clause 2x(2) of WBPDS order, 2013, fathers, sisters, spouse has not defined as relative.. However, it appears that the present petitioner has not filed any representation before the authority though he being the applicant of the Government license, has the right to know reasons for rejection of his candidature.

Under the above observations, I think it justified to dispose of the writ petition by issuing certain directions.

The instant writ petition is disposed of with a direction to the petitioner to file representation to the authority within two weeks from date. On receiving such representation, the concerned authority shall dispose of the representation of the petitioner within six weeks thereafter, by giving an opportunity of being heard to the petitioner and shall intimate decision to the petitioner within two weeks thereafter.

I make it clear that this Court has not gone through the merits of this matter.

The concerned authority is at liberty to dispose of the representation according to law without being influenced by any of observation of this Court.

As the affidavit of service is not exchanged, the allegations made in the writ petition shall be deemed to have been denied.

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

(Subhendu Samanta, J.)