

ASR 31.
Ct. no. 24.
27.1.2025

WPA 1349 of 2025

Hem Chandra Mondal

Vs.

State of West Bengal & Ors.

Mr. Biswanath Chakraborty
Ms. Shyanti Poddar

....For the petitioner

Ms. Sonal Sinha
Mr. Amrito Lal Chatterjee

...For the Respondents

Father of the petitioner late Dulal Chandra Mondal, was a FPS dealer, who expired on 2nd September, 2009. The petitioner applied for the license on compassionate ground. His prayer was turned down.

It is the case of the petitioner that since then the authority concerned has issued new FPS vacancy notification time and again for fresh resultant vacancy.

It is the case of the petitioner that lastly on July 7, 2022 the authority has issued a notification vide memo no. 725/SC/FS/DRP/22. Petitioner applied for the license by filing application. The proposed shop-cum-go-down of the petitioner was inspected. Since then no result of such vacancy notification was taken by the authority. The petitioner approach the authority

vide a representation dated 16th August, 2024. The authority had not responded hence this writ.

Heard learned counsel for the parties, it appears that the authority concerned must have passed a reasoned decision in terms of the representation of the petitioner dated 16th August, 2024.

Under the above observation, the instant writ petition is disposed of. Concerned Sub-Divisional Controller being respondent no. 3 of this instant writ petition is directed to take a reasoned decision in response to the representation dated 16th August, 2024 within six weeks from the date of communication of this order after giving a reasonable opportunity of being heard to the petitioner.

The SCFS concerned shall take a reasoned decision in terms of the representation as well as the fate of the impugned memo dated 7.7.2022 and shall intimate the same to the petitioner within two weeks thereafter.

I make it clear that this court has not entered into the merit of this matter. The respondent no. 3 is at leave to dispose of the matter according to the law without being influenced by the any order passed by this court.

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

[Subhendu Samanta, J]