

ASR 37.
Ct. no. 24.
27.1.2025

WPA 1478 of 2025

Rakesh Paul

Vs.

State of West Bengal & Ors.

**Mr. Debasish Chattopadhyay
Mr. Tirthankar Basu**

.....For the petitioner

**Mr. Suman Sengupta
Ms. Rajyasree Mukherjee**

.....For the State

The petitioner is one of the applicant of fair price shop new vacancy notification being memo no. 416 /SCFS/ISP/2023 dated 3rd June, 2024 issued by SCFS, Islampur.

It is the contention of the petitioner that the central location in the said vacancy notification is mentioned as (“near Krishna Madir, Bichbari”). He submits that there is no such central location as mentioned in the notification. He submits that the notification itself liable to be cancelled due to the wrong mentioning of central location. He specifically submits that there are no such central location within Mouza Bhelagachi-89.

Learned counsel appearing on behalf of the State authority raised strong objection and submits that the petitioner himself filed an application for getting license

but now he can not challenge the same vacancy notification.

Having heard the learned counsel for the parties it appears to me that the writ petitioner never approach the concerned authority in respect of his objection. It appears that the objection raised in the writ petition may be considered by the authority by taking a reasoned decision.

In the above observation, the instant writ petition is disposed of with a direction to the writ petitioner to approach the concerned SCFS, Islampur to submit a copy of writ petition coupled with a copy of this order for taking necessary decision. SCFS, Islampur shall consider the writ petition as a representation to the authority and shall dispose of the same within 8 weeks from date after giving a reasonable opportunity of being heard to the petitioner.

The reasoned order shall be communicated to the petitioner within two weeks.

I made it clear that this court has not gone into the merits; the SCFS concerned is a leave to dispose of the matter according to the law without being any influenced, any observation of this court.

[Subhendu Samanta, J]

