

06.03.2025
SL No.6
Court No.24
Ali

WPA 5180 of 2025

**Anarul Hoque
Versus
The State of West Bengal & Ors.**

Mr. Joy Chgakraborty,
Mr. Sandip Dinda,
Mr.Ranjit Malakar

....for the petitioner.

Ms. Sonal Sinha,
Mr. Gaurav Das

.....for the State.

Petitioner challenged the action of the concerned respondent authority for issuance of licence in favour of the private respondent. It is the contention of the learned advocate for the petitioner that private respondent cannot be allowed to participate in the process as he has some criminal antecedent.

It is the firm contention of the learned counsel for the petitioner that the private respondent is entangle with several criminal cases filed by the state authority and the concerned villagers also made a representation to the Sub-Divisional Controller regarding antisocial activities of the private respondent. He made a representation to the authority concerned on 26th

of February, 2025, but his representation was not considered.

Learned counsel for the state authority submits that the private respondent has already been given the licence in respect of the impugned vacancy. However, the grievance of the petitioner may be relegated to the concerned department to consider.

Having heard the learned counsel for the parties also considering the matter in hand it appears that the licence has already been issued in favour of the private respondent. However, the authority has domain to decide the issue of criminal antecedent in favour of any licence holder.

Under the above observations, the instant writ petition is disposed of with a direction to the respondent No. 2 i.e. District Controller, (F & S) Uttar Dinajpur, to consider the representation of the petitioner appearing in page 19 of the writ petition.

The respondent No. 2 shall pass a reasoned order on the basis of the representation made by the petitioner within six weeks from the date of communication of this order, after giving a reasonable opportunity of being heard to the petitioner; the decision so arrived at shall be communicated to the petitioner within two weeks thereafter.

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

This Court has not entered into the merits of this matter; the concerned authority (respondent No.2) is at liberty to deal with the matter according to the law, without being influenced by any of the findings of this Court.

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

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

(Subhendu Samanta, J.)