

24.04.2025
Court No.13
Item No.16
AP

MAT 516 of 2025
With
CAN 1 of 2025
With
CAN 2 of 2025
Nilkamal Hazra
Vs.
The State of West Bengal and Ors.

Mr. Anindya Bose
Mr. Subhrangsu Maiti
Mr. Mridul Biswas

... For the Applicant/Appellant.

Ms. Sonal Sinha
Mr. Amritlal Chatterjee
Ms. Shabnam Farooqui

... For the State.

Mr. Biswaroop Biswas
Mr. Pradip Kumar Ghosh

... For the Respondent No.9.

1. Leave is sought to prefer an appeal against an order dated 5th March, 2025 passed by a Single Bench of this Court in WPA 16433 of 2024 (Nabin Sundar Hazra Vs. State of West Bengal & Ors.). The applicant claims that he has been allotted MR dealership at Uluberia and that the impugned order dated 5th March, 2025 has the effect of negating his dealership.

2. It appears from the records that WPA 16433 of 2024, was filed by certain legal heirs of a deceased MR dealer. In the said writ petition, by an interim order dated 27th June, 2024 the respondent authorities were directed to process the all applications submitted for dealership but not to pass any final order without the leave of the Single Bench.

3. The applicant claims that the respondents have allotted a dealership to him on 3rd March, 2025.

4. It appears to this Court that the respondent authorities clearly acted in violation of the order of the Single Bench dated 27th June, 2024. The allotment of MR dealership to the applicant on 3rd March, 2025 is, therefore, ex facie illegal and a nullity and is liable to be set aside. It is irrelevant as to whether subsequent to the dealership allotted to the applicant, the writ petition was disposed of by an order dated 5th March, 2025.

5. In these circumstances, this Court is not inclined to grant leave to the applicant to prefer an appeal against the final order dated 5th March, 2025.

6. Accordingly, CAN 1 of 2025 is dismissed. Consequently, CAN 2 of 2025 is also dismissed.

7. MAT 516 of 2025 is also dismissed.

8. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)