

13.5. 2025
item No.15
n.b.
ct. no. 24

WPA 8245 of 2025

Rebeka Khatun

Vs.

State of West Bengal & Ors.

Mr. Tarun Kr. Das,
Mr. Ashok Kr. Sardar,
Mr. Dilip Kumar Shyamal,
Mr. Pratap Kr. Yadav
..... for the petitioner.

Mr. Suman Sengupta,
Mr. Sambuddha Dutta,
..... for the State.

Mr. Dhnanjoy Banerjee,
Mr. Arup Kumar Bhowmick,
Mr. Proloy Hazra,
..... for the respondent no.9.

Petitioner applied for FPS licence in terms of vacancy notification No.900/SCF(M)2023 dated September 13, 2023.

After petitioner's application being accepted online, her proposed shop cum godown inspected and she was called for personal interview by the concerned authority. She appeared in personal interview but subsequently, it appears from the portal that her candidature was rejected without assigning any reason. Hence, the petitioner approached this Court for necessary direction upon the concerned authority.

Learned counsel appearing on behalf of the State respondent submits that in terms of vacancy notification Para 5 Clause 11 sub-clause(V), the licensing authority

or the Government, Food & Supply Department reserves the right to reject any candidature without assigning any reason. Thus, the petitioner has no locus to file the instant application.

Learned counsel appearing on behalf of the State authority further submits that no representation was placed before the concerned authority regarding the grievance of the petitioner. Hence, the instant writ petition is premature one.

Having heard learned counsel for the parties, it appears to me that the candidature of the petitioner was rejected by the concerned authority. The information was received by the petitioner through online portal. It is true that in terms of the notification, the licensing authority/the government is not duty bound to assign any reason for rejection any candidature of any candidates but that does not means that an individual who applied for licence cannot approach the authority enquiring reasons for rejection.

considering the aspect, the instant writ petition is disposed of with a leave to the petitioner to approach the concerned authority with a proper representation for her grievances. The Sub-divisional Controller(F&S), Malda being respondent no.6 shall dispose of the representation of the petitioner according to law as early as possible preferably within six weeks from the date of filing of the application.

The decision of the authority shall be intimated to the petitioner within two weeks after taking the decision.

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

I make it clear that this Court has not entered into the merit of this matter.

The concerned authority shall disposed of the representation according to law without being influenced by any observation of this Court.

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

(Subhendu Samanta, J.)