

22.04.2025
SL No.19
Court No.24
Ali

WPA 8342 of 2025

**Jaydev Hazra
Versus**

The State of West Bengal & Ors.

Mr. Ram Anand Agarwala
Ms. Nibedita Pal,
Mr. Ananda Gopal Mukherjee,
Ms. Sonam Roy,
Ms. N. Khatoon

..... for the petitioner.

Mr. Swapan Kr. Dutta, Sr. Adv. & AGP
Mr. Rajat Datta

.... for the State.

Petitioner applied for FPS licence in terms of a Vacancy Notification No. 350/MR/TFS/23 dated 9th August, 2023 declared by the Sub-Divisional Controller, Food and Supplies, Tamluk.

The petitioner offered LR Plot No. 470 for the purpose of proposed shop-cum-godown; his proposed shop-cum-godown was inspected by the concerned authority and initially he appears to be the most suitable candidate for the purpose of ingress and egress to the proposed shop-cum-godown. The petitioner used a plot No. 469 which was recorded as a road (Bandh) for the purpose of smooth ingress and egress of the truck carrying ration articles. The petitioner has made concrete the road over plot No. 469. One of the adjacent land owner has lodged complaint with the

authority. By which the authority has cancelled the candidature of the petitioner.

It is the submissions of the petitioner that the person making complaint with the authority has no right to make a complaint and the concerned authority though has conducted an enquiry through Land and Land Reforms Officer, Tamluk-II, did not submit any report. However, the petitioner was unaware about the reason for rejection of his candidature; hence this writ.

Mr. Swapan Kr. Dutta, learned senior counsel appearing on behalf of the State authority submits that the concerned authority has considered the complaint of the person and after considering the correctness of the complaint rejected the candidature.

It appears that the instant writ petitioner has demonstrated of the fact that he is the most suitable candidate for getting the licence. However, his candidature was rejected by virtue of a complaint made by a person residing vicinity to the disputed plot of land. Reasons for rejection of the candidature of petitioner and justification thereof, has to be verified by the authority again.

Considering the same, I direct the petitioner to approach the Director, District Distribution, Procurement and Supply, Food and

Supplies Department, Government of West Bengal being respondent No. 2 of this writ petition by filing an appropriate representation along with documents within one weeks from the date of passing of this order. On receiving the representation the respondent No. 2 shall dispose of the representation of the petitioner after giving a reasonable opportunity of being heard within four weeks from the date of representation. The decision of the authority shall be intimated to the petitioner within two weeks thereafter.

I make it clear that this court has not entered into merit in this matter; the concerned authority is at leave to dispose of the representation according to the law, without being influenced by any observation passed by this court.

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

Under the above observations, the writ petition being **WPA 8342 of 2025** 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.)