

17.6. 2025
item No.33
n.b.
ct. no. 24

WPA 8755 of 2025

Minati Biswas

Vs.

The State of West Bengal & Ors.

Ms. Santi Das,
Mr. N.K. Roy

..... for the petitioner.

Ms. Sonal Sinha,
Ms. Ashmita Chakiraborty,

..... for the respondent.

Affidavit of service filed by the petitioner is taken on record.

Petitioner received FPS licence on compassionate ground from the concerned department. After receiving the licence, petitioner was running business. There were shortage of supply of articles by the concerned department. Accordingly, the petitioner has made a representation to the petitioner to the concerned authority to supply sufficient goods, so that, she can supply the same to the beneficiaries.

It is the contention of the petitioner that the concerned authorities suddenly issued a show-cause cum suspension letter vide a memorandum dated December 27, 2024, since then the licence of the petitioner was suspended. The petitioner was unaware about the complaint against her. So, she made a detained representation to the authority asking them to supply all the documents pertaining to the complaints

against her. Thereafter, the concerned authority again on January 15, 2025 served another show-cause notice to the petitioner on the allegation that there are some shortage of commodities in the FPS of the petitioner. Petitioner made a detailed reply to show. One hearing was conducted on February 10, 2025. The petitioner participated in the said hearing.

It is contention of the learned counsel for the petitioner that since the conduction of hearing, no order has been passed by the concerned authority and the petitioner is in dark about result of such hearing. Hence this writ petition.

Ms. Sonal Sinha, learned advocate appearing on behalf of the State respondent has placed a short written instruction wherefrom it appears that the petitioner herself refused to assign some documents at the time of hearing and she is not properly co-operating in the hearing. Thus, the hearing could not be concluded.

Having heard learned counsel for the parties and also considering written instruction of the authority, it appears that the hearing in respect of show-cause come suspension proceeding against the present petitioner has not been concluded yet. However, it appears from the written instruction that the department is in a position to concluded the said proceeding in a very short span.

After taking note of entire fact, the instant writ petition is disposed of with a direction to the concerned authority to dispose of the proceeding as mentioned herein above against the present petitioners within a period of six weeks from date after giving reasonable opportunity of being heard to the petitioner. Since petitioner is a lady, she be allowed to participate in hearing through her representative.

I make it clear that this court has not entered into the merit of the matter, the authority concerned shall dispose of the proceeding through his representation according to law without being influenced by any observation of this Court.

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

Since no affidavit has been exchanged between the parties, the allegation made in the writ petition shall be deemed to have been not admitted.

Accordingly, the writ petition is disposed of.

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

(Subhendu Samanta, J.)