

14.5. 2025
item No.14
n.b.
ct. no. 24

WPA 10723 of 2025

Nazrin Yasmin

Vs.

State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Pintu Karar,
Mr. Sourav Roy,
..... for the petitioner.

Ms. Sonal Sinha,
Mr. Nilotpal Chatterjee,
Mr. Amritlal Chatterjee,
..... for the State.

Petitioner applied for licence of FPS in terms of vacancy notification no.510/SCF(M)2024 dated May 17, 2024.

The contention of the petitioner is that, the petitioner is the most suitable candidate to have the licence but the respondent no.6 was awarded licence in respect of impugned vacancy.

It is the submission of the petitioner that the respondent no.6 had filed two applications under different application ID and under different mobile number for the same vacancy. One of his applications was rejected and another application was approved. He submits that the private respondent had defrauded the authority by making two applications.

It is further contention of the petitioner that the private respondent is running other profitable business, which he suppressed at the time of making application.

He submits that the petitioner has made a detailed representation on May 12, 2025(annexure P-11 of the writ petition) with the authority concerned but the concerned authority has not taken any steps in terms of her representation. He submits that necessary direction be passed upon the concerned authority, so that further proceeding for issuance of licence in favour of the private respondent may be stalled.

Ms. Sonal Sinha, learned counsel appearing on behalf of the State respondent submits that the petitioner has made detailed representation with the authority. The concerned authority may be directed to dispose of the representation according to law. She further submits that if any discrepancy arises regarding issuance of licence in favour of the private respondent, the same shall be taken care of by the concerned authority.

Having heard learned counsel for the parties and considering the materials on record also the fact that the private respondent has applied for the licence by filing two separate applications, amongst them one application rejected and another was approved. The petitioner also demonstrates a case that the private respondent is running a profitable business.

Having perused the materials, it appears to me that the matter should be relegated to the concerned authority to determine grievances of the petitioner.

Hence the instant writ petition is disposed of with a direction to the petitioner to make detailed representation to the District Controller, Malda being respondent no.4 of this writ petition regarding all her grievances as administrated before this Court in annexure P-11 afresh within two weeks from date of passing of this order and respondent no.4 on receiving such representation shall dispose of the representation within four weeks thereafter by giving an opportunity of being heard to the petitioner.

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 the merit of this matter, the respondent no.4 shall dispose of the representation according to law without being influenced by any observation of this Court. Since a serious allegation has been raised by the petitioner against the private respondent, the authority concerned must dispose of the representation as early as possible.

Till then, the authority concerned shall not issue allotments, if not already issued in favour of the private respondent.

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

(Subhendu Samanta, J.)

