

16.6. 2025
item No.15
n.b.
ct. no. 24

WPA 10860 of 2025

Abdul Karim

Vs.

The State of West Bengal & Ors.

Mr. Oishik Chatterjee,
..... for the petitioner.
Ms. Sonal Sinha,
Mr. Amrit lal Chatterjee,
Ms. Rajyashree Mukherjee,
..... for the respondent.

The petitioner is aggrieved for selection of private respondent granting dealership licence for fair price shop being licence no.WB0330413212 in the district of Uttar Dinajpur. He made a complaint to the concerned authority vide his representation dated April 11, 2024. In terms of his complaint, the authority concerned has passed an impugned order on April 22, 2025.

It is the contention of the petitioner that the respondent authority has not given him any opportunity of being heard before disposing of his complaint.

Learned counsel appearing on behalf of the state respondent Mr. Amrita lal Chatterjee submits that the petitioner has no locus standi to challenge the licence granted in favour of private respondent. He further submits that petitioner not an aggrieved person.

Having heard learned counsel for the parties and also considering the impugned memo dated April 22, 2025, initially appears that the memo issued by the

concerned Sub-Divisional Controller, Food & Supply, Raiganj does not suffers any illegality. However, as the complaint of the petitioner dated April 11, 2025 is resulted to the impugned memo, the authority concerned must have heard the petitioner before disposing of his complaint. On the above reason, the impugned memo dated April 22, 2025 is set aside.

Let the matter be relegated to the concerned Sub-Divisional Controller, Food & Supply to take fresh decision after giving reasonable opportunity of being heard to the petitioner.

The petitioner is directed to approach the authority coupled with the copy of this order. After his approach, the authority concerned shall disposed of the complaint dated April 11, 2025 within six weeks thereafter.

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 the matter, the authority concerned shall dispose of the complaint of the according to law without being influenced by any observation of this Court.

Since no affidavit has been exchanged between the parities, 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.)