

10.6. 2025
item No.15
n.b.
ct. no. 24

WPA 11581 of 2025

Sukur Alam

Vs.

State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Pintu Karar,
Mr. Badrul Karim,
Mr. Aritra Ghosh,,
.... For the petitioner.

Ms. Sonal Sinha,
Mr. Sayan Dutta,
.... For the State.

Mr. Syed E. Huda,
Ms. Nabeela Akbar,
.... For the respondent no.7.

Department of Food & Supply, Government of West Bengal issued a vacancy notification vide memo no.334/SCFS/ISP/2024 dated 10.5.2024 for selection of FPS dealership.

Petitioner, private respondent and other persons applied for the licence. Proposed shop cum godown of the petitioner was inspected. He called on personal interview by the concerned authority. Thereafter, his candidature was rejected and private respondent was selected for the licence.

It is the contention of Mr. Karar, learned counsel appearing on behalf of the petitioner that the shop cum godown of the private respondent is not interms as required in the vacancy notification. But the concerned authority has issued licenece in favour of the private

respondent. It is further contention of the petitioner that the petitioner has made detailed representation on May 19, 2025, which was not considered by the authority. Hence this writ petition.

Mr. Huda, learned counsel appearing on behalf of the private respondent submits that the private respondent is the most suitable candidate. He has spacious godown according to the notification and the licence has already been issued in favour of the private respondent. The private respondent is now distributing the food grain to the beneficiaries.

Mr. Huda, learned counsel further submits that the writ petitioner is an ineligible candidate in all respects. Accordingly, his candidature was correctly rejected.

Learned counsel appearing on behalf of the state respondent submits that State respondent has selected private respondent to be the most suitable candidate, who scored highest marks for the selection process.

Having heard learned counsel for the parties and considering the entire facts, it appears that the present petitioner has alleged regarding the space of godown and shop room of the private respondent. He has also alleged some other infirmities to the selection of the private respondent by making a specific representation. The concerned authority has not disposed of the representation. Thus, I find that the petitioner may be

given an opportunity to place his representation before the authority.

Under the above observation, the instant writ petition is disposed of directing the District Controller, Food & Supplies Department, Karnajore, Raiganj, District Uttar Dinajpur being respondent no.4 of this writ petition to dispose of the representation of the petitioner dated May 19, 2024 (being annexure P-7 of the writ petition) within six weeks from the date of receiving of the instant order by giving an opportunity of being heard all interested parties.

The respondent authority shall pass a reasoned order after giving hearing to the parties and the order shall be communicated to the parties within two weeks thereafter.

I make it clear that this court has not entered into the merit of the case, the concerned authority shall dispose 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.)