

ASR 52.
Ct. no. 24.
25.08.2025

WPA 13791 of 2025

**Sudipta Das
Vs.
State of West Bengal & Ors.**

Mr. Pratip Mukherjee
Ms. Chaitali Mukherjee
Ms. Rima Banerjee
.....For the petitioner

Mr. Swapan Kumar Datta
Mr. Dipankar Das Gupta

....For the State

Petitioner applied for FPS license in terms of
vacancy notification memo no
220/SCH/F/VACANCY/24 dated 15.05.2024.

Petitioner submits that his proposed shop-cum-godown was inspected. He was participated in the entire selection process but the State authority without assigning any reason has rejected the candidature of the petitioner. Now petitioner is under apprehension that private respondent no. 7 would be given the license. He submits that as the State has not assigned any reason regarding rejection of his candidature. State may be directed to submit a report in the form of affidavit stating all the reasons.

Mr. Swapan Kumar Datta, learned AGP, appearing on behalf of the State submits that preset petitioner has no locus standi to file a writ petition. Though writ petitioner has applied for license but after

thorough deliberation of the authority in the selection process, the petitioner has secured only '0' mark but the selected candidate ie. The private respondent secured '63' marks. The petitioner being an unsuccessful candidate cannot maintain a writ petition. However, the petitioner has not approached the authority through a representation asking for reasons for his rejection.

Mr. Datta, further submits that private respondent has given license of FPS by the authority on 23rd June, 2025 and she is running the business since 1st July, 2025.

Having heard the learned counsel for the parties, it appears that though the petitioner may have secure '0' mark but he has the right and liberty to know the fate of his candidature in proper manner.

However, the petitioner has not made any representation. On that score, the instant writ petition is disposed of with a direction to the petitioner to approach the authority with a detailed representation, asking them regarding the reason for his rejection, within two weeks from the date of passing of this order.

The authority concerned shall dispose of the representation of the petitioner according to law after giving a reasonable opportunity of being heard to the petitioner within six weeks from the date of receiving of the representation.

The decision of the authority shall be communicated to the petitioner within two weeks thereafter,

Writ petition is disposed of.

I make it clear that this court is not entered into the merit of this order.

The concerned authority shall take decision independently according to law without being influenced by any observation of this court.

Since no affidavits are exchanged, the allegation made in the writ petitioner shall be deemed to have been not admitted.

[Subhendu Samanta, J]