

17.11.2025
Ct. No. 30
SL No. **29**
MKP

WPA 14760 of 2025

Gautam Kumar Bhaumik

Vs.

The State of West Bengal & Ors

Mr. Tanmoy Chattopadhyay

.....for the Petitioner

Ms. Munmun Ganguly

Mr. Amritlal Chatterjee

.....for the State-Respondents

- 1.** Exception to the report filed by the State be kept with the record.
- 2.** The writ application has been filed praying for direction upon the respondents to cancel the license of the private respondent no.7 as Fair Price Shop dealer being FPS No.WB0345465394 and license no. 34546523263 and appoint the petitioner as Fair Price Shop dealer in place of the respondent no.7 as the most suitable candidate.
- 3.** On hearing the Learned Counsels for the parties and on perusal of the materials on record, it appears from the

report filed by the State that the petitioner herein did not qualify for the said license and it appears that the respondent no.7 has got 65 out of 100 whereas, the petitioner has got 0 and thus and having not met the requirement, his application was not considered.

4. It is submitted by the Learned Counsel for the petitioner that by virtue of the notification dated 6th November, 2023, annexed at page 21 to the writ application, the petitioner/applicant was to be given a hearing. It is submitted that no such hearing was granted to him and as such he has been seriously prejudice.

5. Learned Counsel appearing for the State submits that the consideration of the most suitable candidate and picking the name of the most suitable candidate is done by the District Level Fair Price Shop Selection Committee in a meeting.

6. It is further submitted that only the applicants who have prima facie qualified are called for an interview. In the said meeting, if any objection has been placed or complaint has been received the same, the same is considered by the Committee.

7. Admittedly, in the present case, the petitioner did not qualify in the preliminary round itself and also did not file any objection or complaint before the authority.
8. Finally, the petitioner submits that the measurement taken by the authority concerned is erroneous and the said authority was not the appropriate authority to conduct the said measurement.
9. It appears that the petitioner herein, is an aggrieved party but has failed to make out any prima facie case.
10. The writ application have no merit, stands **dismissed**.
11. Applications, if any, connected thereto stand dismissed of consequently.
12. Interim order, if any, stands vacated.
13. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]