

ASR 41.  
Ct. no. 24.  
12.08.2025

**WPA 15675 of 2025**

**Rakibul Islam Molla  
Vs.  
State of West Bengal & Ors.**

**Mr. Ramesh Dhara  
Ms. Mausumi Choudhury**

**.....For the petitioner**

**Mr. Syed E. Huda  
Sk. Aptabuddin  
Ms. Nabeela Aktar**

**....for the respondent no. 6.**

Petitioner applied for license in terms of vacancy notification dated 15<sup>th</sup> May, 2024 issued by SCFS, Canning.

It is the submission of the petitioner that the private respondent was selected for granting license by the concerned authority. It is positive fact of the petitioner that the proposed shop-cum-godown of the private respondent is situated at Dag no. 615 which is classified as 'Danga' of its half portion is Government land. He made a specific representation/objection to the authority concerned regarding the proposed shop-cum-godown of private respondent.

His representation was not considered.

Hence this writ.

Affidavit of service filed by the petitioner be taken on record.

Despite service none appears on behalf of the State respondent.

Mr. Huda, learned counsel appearing on behalf of the private respondent no. 6, who refutes contentions of petitioner.

It appears that the petitioner has raised some objection regarding proposed shop-cum-godown of the private respondent.

It is the contention of the petitioner that half portion of plot no. 615 which showed by the private respondent to be proposed shop-cum-godown is over Government land.

It appears that the allegation against the private respondent is serious in nature.

The respondent authority must consider the representation filed by the petitioner on 13<sup>th</sup> June, 2025 (annexure P 5).

Under the above observation, the instant writ petition is disposed of directing Director, DDPS, Food & Supplies Department, Government of West Bengal being respondent no. 2 of the instant writ petition to consider the representation of the petitioner dated 30<sup>th</sup> June, 2025 (annexure P 8 of the writ petition).

The concerned Director, District Distribution, procurement and Supply, Food & Supplies Department, Government of West Bengal shall take a reasoned decision within 6 weeks from the date of submission of

the application by the petitioner by giving of a reasonable opportunity of being heard to the petitioner and shall intimate the decision to the petitioner within two weeks thereafter.

I make it clear that this court has not entered into the merit of this matter. The concerned respondent no. 2 shall dispose of the representaiton according to law without being influenced of 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]**