

07.11.2025
Item No.10
Ct. No. 30
Aloke

WPA 20793 of 2025

Sadikul Alam
Vs
The State of West Bengal & Ors.

Mr. Syed Raihanul Hossain
... for the petitioner
Mr. Suman Sengupta, Id. Sr. Govt. Adv.
Mr. Sambuddha Dutta
... for the State

1. The writ application has been preferred praying for setting aside of the vacancy notice dated 14.05.2024 issued by the Sub-Divisional Controller of Food and Supplies, Chanchal.
2. The petitioner herein is aggrieved with the order No. 128/FMR/10D-03/14(Part-II) dated 11.02.2022, issued by the Food and Supplies Department, Government of West Bengal.
3. It is submitted that if such vacancy notification is given effect to the number of ration cards under his shop will reduce and he will be prejudiced.
4. Learned counsel for the petitioner has relied upon a judgment dated 14.07.2023 passed in WPA 12446 of 2023 by a Coordinate Bench of this Court wherein the Court held as follows :

“8. After having heard the arguments of the Learned Counsel at length, it is the opinion of the Court that the respondents have not acted in an arbitrary manner while decreasing the ration card holding population to 5000 for existing FPS dealers. While it is true that the petitioner would

have to deal with a lesser number of population and it could lead to some financial losses, this administrative action does not violate any legal right of the petitioner. While taking out the new notification for the vacancy, the Department of Food and Supply, Government of West Bengal acted within their power and authority delegated to them by the State Government under the National Food Security Act, 2013. The Primary objective and expansion of Public Distribution System in India is to provide necessary consumer food items at subsidized and cheap prices, protecting the consumers from increasing prices of goods. Therefore, it is in furtherance of this objective that such administrative decisions are taken which would benefit the public at large and not just cater to the interest of a selected few.

9. After the introduction of the targeted Public Distribution System (TDPS), the State Government has to identify eligible beneficiaries under the National Food Securities Act, 2013 and these eligible beneficiaries would replace the existing set of beneficiaries and categorized under (Antyaodaya Anna Yojana Scheme) AAY, (Below Poverty Line) BPL and (Above Poverty Line) APL. As a result, these eligible beneficiaries would be tagged with the respective Fair Price Shops from where they would get their entitled quantity of food grains as stipulated under the Act and therefore, there would be a need for de-novo tagging of eligible beneficiaries with the Fair Price Shops, which may in return result in the reduction in the number of ration cards tagged with such dealers under NFSA norms. This was published by Food & Supplies Department, Government of West Bengal vide Memo No. 796-FS/Select/Food/14R-OG/2015

on 12.03.2015. Therefore, following these guidelines and objectives, the Department issued a notification for the vacancy and subsequent reduction in the number of ration card holding population of existing FPS dealers.”

5. Considering the said observation of the Coordinate Bench, this Court being in agreement with the said findings being of the same opinion finds no merit in the writ application and accordingly the writ application stands dismissed on contest.

6. The writ application stands dismissed.

7. Connected application, if any, stands disposed of.

8. Interim order, if any, stands vacated.

9. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Dutt (Paul), J.)