

20.5.2026
ct no. 10
Sl. 22
AGM

WPA 738 of 2026

Hafejaddin Mallick
-Versus-
State of West Bengal & Ors.

Mr. Ramesh Dhara,
Mr. Gourav Banerjee.

...for the petitioner

Mr. Probal Das.
Mr. Narayan Biswas.
Ms. Madhumita Patra.

...for the respondent no. 7.

1. Affidavit-of-service filed today in Court shall be kept with the records.

2. Despite service, none appears on behalf of the State respondent.

3. Mr. Probal Das, learned advocate appears for the respondent no. 7.

4. Learned counsel appearing for the respondent no. 7 has filed a 'no objection' by way of an affidavit to the effect that the partnership firm, namely, M/s. Mainuddin Mallick & H. Mallick may be allowed to continue the said business of MR Dealership for the sale and distribution of the MR commodities under the respective control order in the area comprised within Diara within Sagardighi, Murshidabad and that the other parties have no objection thereto. The said affidavit has been notarized on 15.5.2026.

5. Learned counsel appearing for the petitioner prays for consideration of the representation dated 19.11.2025, being Annexure P-8 at page 33 of the writ petition, since the private respondent has already

tendered a no objection in respect of the partnership firm being allowed to continue and run the business in question.

6. Having heard the parties and upon perusing the records made available, I am of the considered view that since the private respondent has already expressed his view and has given a no objection certificate to the partnership firm to continue with the business in question, I direct the respondent no. 3 to consider the representation dated 19.11.2025 within a period of six weeks from the date of communication of this order and to pass a reasoned and speaking order in accordance with law, after affording an opportunity of hearing to the petitioner, the private respondent and other stakeholders, if any, and to communicate the said decision within a week thereafter.

7. However, it is made clear that at the time of consideration of the representation, if the petitioner is found to have satisfied and the eligibility criteria, , the respondent no. 3 shall forthwith take necessary steps for the grant of license in accordance with law.

8. The respondent no. 3 is directed to consider the representation along with the no objection certificate by way of an affidavit notarized on 15.5.2026 by the respondent no. 7.

9. The advocate-on-record for the petitioner is directed to communicate the said order to the State respondent.

10. In view of the above, the writ petition stands **disposed of** without going into the merits of the case.

11. Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Smita Das De, J.)