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10.6.2026
Court No. 10
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 5235 of 2026

**Fidel Biswas
-versus
Indian Oil Corporation Limited & Ors.**

**Mr. Anindya Sundar Das.
Mr. Shannok Ghosh.
Mr. Syed Ali Afzal.
Ms. Paramita Mondal.**

... For the petitioner.

Ms. Ranjana Chatterjee.

... For the State.

1. The petitioner in the instant case prays inter alia, for consideration and disposal of the representation dated 28.1.2026 within a time bound period for appointment of the petitioner as a Fair Price Shop dealer.
2. It is an admitted fact that the father of the petitioner has been the original Fair Price Shop dealer who died during his lifetime.
3. Pursuant to the death of the original dealer, the dealership has been granted in favour of the petitioner's brother on compassionate ground who subsequently surrendered the license of the Fair Price Shop Dealer. Consequently, the said Fair Price Shop remained vacant.
4. The petitioner submits that being a legal heir of the deceased dealer is eligible for appointment on compassionate ground. The surrender of license by the brother doesnot extinguish the right of the family members to claim the

dealership, especially when the shop remain vacant and public distribution is affected.

5. The petitioner has already made a representation before the authority concerned on 31.1.2026 for considering the candidature of the petitioner as Fair Price Shop Dealer in respect of Fair Price Shop at Mouza-Kabilpur within Sagardhigh Block. However, the same remains pending for consideration.
6. The State respondent takes a fair stand and does not object to the prayer made by the petitioner for consideration of the representative.
7. Having heard the parties and upon perusing of the materials on record, I am of the considered view that since the representation is pending for a considerable time, for the ends of justice, the representation dated 31.1.2026 shall be considered forthwith by the respondent no. 3 preferably within a period of three weeks from date and pass a reasoned order in accordance with law and the prevailing policy guidelines, upon affording opportunity of hearing to the petitioner and other stakeholders if any, and communicate such decision within a week thereafter.
8. At the time of hearing the petitioner is directed to produce the relevant documents before the authority concerned. If the candidature of the petitioner is found eligible in that event, the license shall be granted forthwith within three weeks from the date of the decision taken by the respondent no. 3.
9. However, it is made clear that this Court has not made any observation with regard to the merits of the case and the respondent no 3 is at

liberty to consider and take necessary steps in accordance with law.

10. With the above observation and direction the writ petition stands disposed of without going into the merits of this 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.)