

11.3.2026
ct no. 10
Sl. 10
AGM

WPA 5095 of 2026

Moumita Shyamal Jana
-Versus-
State of West Bengal & Ors.

Mr. Ram Anand Agarwala.
Ms. Nibedita Pal.
Mr. Ananda Gopal Mukherjee.
Ms. Sonam Ray.
Ms. Nasrin Khatoon.

... For the petitioner.

Mr. Suman Sengupta. Ld. Sr. Govt. Adv.
Mr. Sambuddha Dutta.
Mr. Ritesh Kumar Ganguly.

... For the State.

1. The petitioner in the instant case has already made an application against the vacancy notification being Memo No. 81/CPS/2023 dated 3.2.2023 for the grant of license as published by the Director of DDP&S, Food & Supplied Department, Government of West Bengal.
2. Thereafter, an enquiry has been conducted by the Area Inspector on 19.11.2024 by taking the measurement of the petitioner's godown and verifying the documents in original.
3. Subsequently, it came to the knowledge of the petitioner that one Area Inspector, namely, Subhash Mondal has failed to submit the actual report of inquiry to the respondent no. 4. Consequently, the

petitioner submitted a further representation to the authority concerned requesting inter alia, a new inquiry to reach to a logical conclusion in granting license to a suitable candidate.

4. Learned counsel appearing for the petitioner submits that complaints have been lodged against the concerned Area Inspector before the superior authorities of the Food & Supplies Department, Government of West Bengal but the same remains pending for consideration.
5. Learned counsel for the State respondent submits that once an enquiry has been completed, a further inquiry is not warranted at this stage as it may create a precedent in respect of granting of license against a vacancy notification for Fair Price Shop (Ration Shop).
6. After hearing the parties at length and upon perusing the available records, I am of the considered view that for the ends of justice the superior authorities, namely, the respondent no. 2 shall consider the complaint lodged by the petitioner dated 20th February, 2026 within a period of sixty days and pass a reasoned order in accordance with law upon affording opportunity of hearing to the petitioner and the Area Inspector Mr. Subhash Mondal and other interested persons, if any, and such decision shall be communicated within a week thereafter.

7. However, it is made clear that the authority concerned is at liberty to take action against the erring Area Inspector, if any offence is established based on the enquiry report held on 19.11.2024. Furthermore, they shall verify the finding by comparing the report placed before the Sub Divisional Officer with the actual inquiry record.
8. In view of the above, the writ petition stands **disposed of** without going into the merits of the case.
9. Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Smita Das De, J.)