

18-03-2026
ct no. 10
Sl. 2
RP

WPA 6328 of 2026

Sumana Yadave
-Versus-
State of West Bengal & Ors..

Mr. A.K. Biswas,
Mr. Amit Singh

...for the petitioner

Mr.Vivekananda Bose, ld. Jr. SC,
Ms. Deboleena Ghosh

...for the State

1. The petitioner in the instant case challenges inter alia, the issuance of a license granted in favour of the private respondent against vacancy notification being Memo No. 204/SCF(M)/2025, Vacancy Id No. 202200222109 dated 10.01.2025.
2. Despite being a suitable candidate the petitioners application in response to the vacancy notice has been rejected without assigning any reason by the State respondents.
3. Subsequent thereto, the petitioner lodged a complaint before the State respondents against the private respondent on 05.03.2026 however, the same remains pending for consideration.
4. The petitioner submits that the license has been granted in favour of the private respondent who is not a suitable candidate, as the godown is incomplete, unfinished and not inconsonance with

the conditions mentioned in Clause 9(b)(vii) in part II of the vacancy notice dated 10.01.2025.

5. The learned Counsel for the State respondent submits that a date has already been fixed for hearing on 19.03.2026 at 01:00 pm before the respondent no. 5 in respect of the complaint lodged by the petitioner dated 05.03.2026.

6. After careful consideration of the case and upon perusing the records made available, I am of the considered view that since the application of the petitioner has been rejected without assigning any reason and the license has been granted in favour of the private respondent whose godown, at the time inspection has been found to be incomplete and unfinished as demonstrated from the photographs annexed to the writ petition, appropriate action is required.

7. I direct the petitioner to make a comprehensive detailed representation before the respondent no.3 enclosing the relevant documents and the materials necessary for arriving at a logical conclusion regarding the grant of a license to a suitable candidate against the vacancy of Fair Price Shop (Ration Shop) being Vacancy Id No. 202200222109 dated 10.01.2025 within a period of one week. The respondent no. 3 shall conduct a fresh and independent enquiry, with the assistance of the enquiry officer, and shall consider the

representation by examining all relevant documents preferably within a period of 60 days from the date of receipt of the representation. Thereafter the respondent no. 3 shall pass a reasoned order in accordance with law in presence of the petitioner and the private respondent and the other stakeholders if any, communicate such decision within a week thereafter.

8. However, it is made clear that in the event, the candidature of the private respondent is not found to be in accordance with the conditions mentioned in the vacancy notice, the respondent no. 3 shall be at liberty to take appropriate steps in accordance with law.

9. The writ petition being WPA 6328 of 2026 is disposed of without going into the merits of the case.

(Smita Das De, J.)