

02-02-2026
ct no. 10
Sl.2
RP

WPA 8565 of 2023

Gobinda Dutta

-Versus-

State of West Bengal & Ors..

Mr. Debabrata Saha Roy,
Mr. Pingal Bhattacharyya,
Mr. Subhankar Das

...for the petitioner

Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Mallick

...for the State

1. The petitioner in the instant case submits that pursuant to the order dated 13.04.2023 passed by the learned Co-ordinate Bench of this Court the proceeding initiated by the authority concerned in respect of a complaint lodged by the villagers of the local area due to mal-practices committed by the petitioner for not distributing the ration commodities to the villagers regularly as per scale.

2. Such proceeding has already been concluded and the order of suspension has been revoked by the respondent no. 5 on 02.05.2023. The extract of the order is reproduced below:

“it has also been reflected in the Automation portal that he has transacted 81 families after 06:00 P.M. to 08:00 P.M., on 29/11/2022, i.e. on the date of suspension and beyond working hour of FPS. Which is contravention of clause 18 of W.B.P.D.S.(M&C) Control Order-2013.

Regarding stock discrepancies this is to mention here that as per the report of the Area Inspector weighment process has not been done and as per his report the FPS dealer has not cooperated and has not provided labour. Not only

that he has not provided Stock Register, Daily Sale Register at the time of inspection. He has also failed to produce relevant register at the time of hearing also. As a result the Area Inspector detected stock discrepancies on the basis of E-POS balance and cash Memo as provided to Gobinda Dutta for the month of December 2022. As per W.B.P.D.S. Control Order-2013 clause 19(9), Every dealer shall extend all sorts of cooperation to the officials for arranging physical certification of stock under any circumstances he or she shall have to arrange sufficient numbers of labourers for weighment of the stock. So that even minimum delay is avoided.

Thus it is evident that the FPS Dealer, (FPS CODE-133601800009) Gobinda Dutta has contravened as per clause 19(9), (10), (11), (12) (18) of W.B.P.D.S (M&C) Order 2013 and has been habituated with misconduct regarding distribution of ration commodities properly. Hence a penalty by reducing the volume of business through reduction of tagged ration cards for entire Chupipota village to the tune of 2645 as on (02/05/2023) is being imposed upon him as per clause 24 (ii) of W.B.P.D.S (M&C) Order 2013 subject to the order of the Hon'ble High Court as the matter is sub judice. This is in compliance with the order of the Hon'ble High Court Dated 13/04/2023 in connection with WPA NO 8565 of 2023.

22/05/2013

*Sub-Divisional Controller Food & Supplies Deptt.
Krishnagar, Nadia.*

Dated :02/05/2023"

3. The learned Counsel for the petitioner submits that the matter has become infructuous since the entire proceeding has been concluded and the petitioner is continuing to run the FPS dealership.
4. The State respondent also does not object to the same.
5. Let this matter being WPA 8565 of 2023 is disposed of as infructuous.

(Smita Das De, J.)