

25.03.2026

Item No. 60

Crt.No.10

b.r.

WPA 21616 of 2025

Sabir Hossain Mollas

-vs-

The State of West Bengal & Ors.

Mr. Mrinal Kanti Sardar

Ms. Aparna Mondal

.... For the petitioner.

Mr. Suman Ghosh

Mr. Gaurav Das

.... For the State.

Mr. Syed E. Huda

Mr. Sk. Aptabuddin

Mr. Baneela Akbar

.... For the REsp. nos. 7 and 8.

- 1.** Heard learned counsel appearing for the respective parties.
- 2.** Learned counsel appearing for the petitioner submits that the instant writ petition has been filed with regard to the cancellation of the license in respect of the Fair Price Shop (FPS) of Sadik Mohammad Molla, the private respondent herein, in whose favour the license has been granted in his favour.
- 3.** Petitioner also submits that an application has been made before the respondent no.5 on 25.07.2025 and the same is pending for consideration.
- 4.** Learned counsel appearing for the private respondent submits that an extensive hearing has been given to all the interested parties, including the

original license holder. Pursuant to such hearing, the license has been granted in his favour and at present he is running the FPS dealership in term of the decision of the authority concerned dated 27.11.2024.

5. Learned counsel for the State files a detailed report, annexing the relevant documents for the grant of license in favour of the private respondent and submits that in course of hearing the original license holder expressed his desire to transfer the license in favour of his sons since he has been medically incapacitated and is unable to run the FPS dealership. Since the private respondent has been one of the partners in the dealership business the license has been granted in his favour upon compliance with all formalities in accordance with law.

6. After hearing the parties at length and upon perusing the record I am of the considered view that since the representation dated 25.07.2025 has been pending for more than a year, the respondent no.5 shall consider the same within a period of sixty days and shall pass a reasoned order in accordance with law upon affording an opportunity of hearing to the petitioner, and the private respondent and other stake holders, if any, and communicate such decision within a week thereafter.

7. With the above observations and directions, the writ petition, **WPA 21616 of 2025** stands ***disposed of*** without going into the merits of the case.
8. Urgent Photostat copy of this order, if applied for be given to the parties upon compliance of all formalities.

(Smita Das De, J.)