

23.02.2026

Item No.07

Crt.No.10

b.r.

WPA 26510 of 2025

Purnima Pandit

-vs-

The State of West Bengal & Ors.

Mr. Dyutiman Banerjee

Mr. Supriya Sasmal

.... For the petitioner.

Ms. Sonal Sinha, AGP

Ms. Ashmita Chakraborty

... for the State.

Mr. Kaustav Banerjee

Ms. Ria Kundu

... for the private respondent.

1. Heard learned counsel appearing for the respective parties.
2. The petitioner has made an application for grant of license for FPS dealership against the vacancy notice by the respondent no.4 under vacancy ID No. 202200243715 under Memo No. 340/SC/FS/KDP/VACANCY/2024 dated 17.05.2024.
3. Main grievance of the petitioner is with regard to the granting of license in favour of the private respondent illegally and arbitrarily by the respondent no.4 despite office-cum-godown has been erected upon an undivided property which is not permissible in law as the same de

hors the mandate of Section 14U of the West Bengal Land Reforms Act since no prior permission has even been taken from the appropriate authority nor obtained any 'no objection' from the co-sharer of the land.

4. Learned counsel for the petitioner submits that already a complaint has been lodged on 10.09.2025 against the private respondent before the respondentno.3 regarding the total land with the proposed dealership with godown but the same remains pending for consideration.

5. Learned counsel for the State-respondents takes the point of maintainability of the writ petition and submits that the issue involved herein is an inter se dispute between the private parties and the license has been granted in favour of the private respondent in accordance with law based on the report of the field enquiry which has been conducted on 1st October, 2024.

6. After careful consideration of the records of the case I direct that the respondent no.3 to consider the complaint lodged by the petitioner with the assistance of the respondent no.5 within a period of 60 days and pass a reasoned

order in accordance with law upon affording an opportunity of hearing to the petitioner, private respondent and other stake holders, if any. Such decision shall be communicated within a week thereafter.

7. It is made clear that prior arriving at a logical conclusion, the respondent no.3 is at liberty to cause a fresh field enquiry. The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.

8. Until a final decision is arrived at by the respondent authorities, the private respondent shall be allowed to continue running the FPS dealership business without hindrance in the interest of the public at large.

9. With the above observations and directions, the writ petition, **WPA 26510 of 2025** stands **disposed of** without going into the merits of the case.

10. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)