

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A. 27083 of 2025**

**Gobinda Panja  
-versus  
State of West Bengal & Ors.**

**Mr. Md. Zeeshanuz Zaman.  
...For the Petitioner.**

**Ms. Sonal Sinha. Ld. A.G.P.  
Mr. Gourav Das.  
... for the State.**

**Mr. Debobrata Saha Roy. Sr. Adv.  
Mr. Shamit Sanyal.  
Ms. Sanchayita De.  
... for the respondent no. 8.**

1. Apropos the facts of the case is that the office of the Sub-Divisional Controller (Food & Supplies), South 24 Parganas issued a vacancy notification in respect of FPS dealership license for the village & Mouza-Baikunthapur dated 22.5.2025. The petitioner made an application against such notification on 5.8.2024.
2. Thereafter an enquiry has been conducted by the authority concerned but no communication has been received from the end of the concerned authorities regarding the status and the outcome of the petitioner's application.
3. Under such circumstances, the petitioner made a representation on 17<sup>th</sup> September, 2025 challenging inter alia, the process of granting license in favour of the private respondent which remains pending for consideration. It is submitted that the respondents granted the license in favour of the private respondent in contravention to Clause 9(i) of Part III

of the declaration of the vacancy notice dated 22.4.2025.

4. The petitioner draws the attention of this Court to the Annexure P-4 at page 23 and 24 to demonstrate that granting of the fair price shop dealership license in favour of one Gopal Halder who happens to be the paternal uncle of the private respondent dehors the mandate of the provision for granting the same.
5. Mr. Debabrata Saha Roy, learned counsel appearing for the private respondent takes the point of maintainability and submits that the petitioner does not have any locus to agitate the issue of revocation of the license issued by the authority concerned in favour of the private respondent.
6. The petitioner has participated in the proceedings and has been declared to be an unsuccessful candidate. His candidature does not fall within the zone of consideration as he has never been called for any interview by the respondent no. 5.
7. The State respondents adopts the arguments advanced by the learned counsel appearing for the private respondent and further submits that upon proper consideration and verification of the credentials of the private respondent, the fair price shop dealership license has been granted to the private respondent.
8. It is further submitted that being an unsuccessful candidate he cannot set the clock back under the garb of challenging the entire selection process.
9. After careful consideration of the case and on the basis of the materials available on record, I am of the considered view that a candidate who takes a chance to get selected cannot after becoming an unsuccessful candidate turn around and challenge the selection process. It is a well settled proposition of law that an unsuccessful candidate who has

participated in the selection process without protest cannot be allowed to turn around and assail the process or the methodology adopted merely because their outcome is not to their liking.

10. In view of the above, I find that a representation in the form of a complaint, lodged for revoking the license of the Fair Price Shop Dealership granted in favour of the private respondent has no basis and not tenable in the eye of law.
11. The writ petition stands dismissed.
12. There will be no order as to costs.
13. Urgent photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

**( Smita Das De, J.)**