

14.01.2026

Ct. no.10

Sl. 15

b.r.

WPA 29504 of 2025

Ansarul Islam

Vs.

The State of West Bengal & Ors.

Mr. Subrata Mukherjee

Ms. Sanjira Khatun

.... For the petitioner

Ms. Sonal Sinha

Ms. Ashmita Chakraborty

..... for the State.

1. The petitioner in the instant case is a license holder of a Fair Price Shop (FPS) for distribution of specified essential commodities to the ration card holders under the Public Distribution System.
2. The said license has been granted to the petitioner to run his (FPS) dealership at village and Post office-Kadamtali, Pukuria, Malda under West Bengal Public Distribution System (Maintenance and Control) Order, 2013 which remains to be valid till 31.12.2026.
3. Main grievance of the petitioner is with regard to the issuance of a further vacancy notice dated 19.06.2025 declaring a further vacancy issued by the respondent

authorities for the same area in violation of the terms and conditions as mentioned in the notification for appointment of a new FPS dealer in the same area.

4. The learned counsel appearing for the State respondent submits that the petitioner is apprehending about the detagging of the ration cards falling within his area against the area for which the vacancy has been declared.
5. The learned counsel for the State-respondents submits a report of the respondent no.2, which is reproduced below:-

“The petitioner is a Fair Price Shop licensee operating under the West Bengal Public Distribution System (M&C) Order, 2013. The licence was granted and renewed by the competent authority in accordance with statutory provisions, and distribution of foodgrains is carried out on the basis of administrative allocation and departmental policy.

In order to ensure equitable access, reduce travel distance for beneficiaries, and improve efficiency of public distribution, the competent authority assessed local requirements and administrative

feasibility. Pursuant to such assessment, a vacancy notice dated 19.06.2025 bearing Vacancy ID 202400221304 and Memo Number 587 SCF (CH) 2025 was issued for the appointment of a new Fair Price Shop dealer with a central location at Gokulpur Primary School covering Khailsana and Nasipur.

The vacancy notice does not affect the petitioner's existing licence and does not result in immediate or automatic delinking of ration cards. Apprehending possible future impact, the petitioner has filed the present writ application challenging the vacancy notice, despite the absence of any adverse administrative or civil consequence as of the date.

6. After careful consideration of the matter, on the basis of the materials available on record, I direct the petitioner to make a comprehensive detailed representation before the respondent no.2 within a period of three weeks along with all relevant documents to demonstrate that the vacancy notice of an area falls within the same area.
7. The respondent no.2 upon receiving such representation shall consider the same

within a period of sixty days by passing a reasoned order in accordance with law upon affording an opportunity of hearing to the petitioner along with other interested parties, if any and communicate such decision within a week thereafter.

8. However, it is made clear that the respondent no.2 before arriving at any decision shall make an independent enquiry in presence of the petitioner to ascertain whether the area mentioned in the vacancy notice dated 19.06.2025 falls within the same area of the petitioner or not.
9. With the above observations and directions, the writ petition, **WPA 29504 of 2025** stands ***disposed of*** without going into the merits of the case.
10. Copy of the report filed on behalf of the Sub-Divisional Controller (F&S), Chanchal is kept with the record.
11. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)