

WP(C) 364/2016
BEFORE
HON'BLE MR. JUSTICE HRISHIKESH ROY

The petitioner is the nephew of one Thaneswar Boro, who was granted the license for a fair price shop, under the Paschim Defeli Bahumukhi S.S. Ltd. in Kalcheni village, within the Tamulpur Sub-Division of Baska District. During the lifetime of the licensee, when he was ill, an application was made on 16.3.2015 (Annexure-I) for transfer of the license, in favour of the nephew.

The original license holder Thaneswar Boro died on 28.3.2015 (Annexure-II) and thereafter the petitioner formally applied for transfer of the license. His application was supported by the co-villagers and others. In fact the Bodoland Territorial Council (BTC) approved the appointment of the petitioner as a PDS retail dealer against the deceased agent Late Thaneswar Boro, as can be noted from the communication dated 9.10.2015 (Annexure-XI).

But since the necessary exercise is delayed despite completion of all formalities including furnishing of requisite security by the applicant, the petitioner has approached the High Court.

It also appears from record that in respect of the same PDS license, one Ratan Boro (respondent No.9) was also an applicant and this Court on 16.10.2015 (Annexure-XIV) in the WP(C) No.6568/2015, has directed consideration of the representation of the respondent No.9, within two months.

In view of above, let notice returnable in 4 weeks be issued. Ms. R.B. Bora, the learned standing counsel, BTC accepts notice for the respondent Nos.1-4, while Mr. N. Upadhyay, the learned Govt. Advocate accepts notice for respondent Nos.5-8. Necessary extra copies be furnished to them. Steps be taken by the petitioner to ensure service on the respondent No.9 by Regd. Post.

In the meantime, status quo as on today should be maintained, in respect of the application for the PDS dealership at the Kalcheni village.