

23.4. 2025
item No.35
n.b.
ct. no. 24

WPA 5110 of 2025

**Kapasdanga Jana Kalyan Samiti & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Anindya Sundar Das,
Mr. Shaunak Ghosh,
Mr. Syed Ali Afzal,
Ms. Paramita Mondal,
Ms. Sura Gayen,
Mr. Suman Halder
..... for the petitioners.
Mr. Swapan Kr. Dutta,
Mr. Rajat Dutta,
..... for the State.

The petitioner challenged the vacancy notification dated November 2, 2023 issued by the Sub-Divisional Controller Berhampur(Sadar) vide Memo no. 1002-BLI/SCFS/BER/2023.

It is the contention of the learned counsel for the petitioner that the said vacancy notification was issued in term of the WBPDS(M&C) Order, 2013. After promulgation of the Targetted Public Distribution System Control Order, 2015 the State cannot issue a notification under the Control Order, 2013. He submits that the State authority has acted illegal in issuing the notification. He prayed for interim order.

Mr. Dutta, learned counsel appearing on behalf of the State respondent submits that the petitioner has no locus standi to file the instant writ petition.

Having heard learned counsel for the parties, it appears to me that the instant writ petition cannot be disposed of without giving an opportunity to the State respondent to file report in the form of affidavit.

Let the report in the form of affidavit be filed within three weeks from date exception, if any, within two weeks thereafter.

Let the matter go out of list.

Liberty to mention.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)