

16.09.2025

Sl. No.: 50
Court No.33
BM

WPA 5653 of 2025

**DWIJENDRA NATH MONDAL
VS
STATE OF WEST BENGAL AND ORS.**

Mr. Anirban Das

... for the petitioner

Mr. Arjun Roy Mukherjee

Mr. C. MUKherjee

... for the respondents

The petitioner running a business of Fair Price Shop through licence issued by the concerned Sub Divisional Controller of Food and supply vide Licence No.DCFS-MUR-JNG-133300400013-22.

Learned counsel appearing on behalf of the petitioner submits that the concerned authority issued a vacancy notification over the area wherein the petitioner is catering business.

It is further submitted by learned counsel for the petitioner that the impugned vacancy dated 31st May, 2024 was issued in terms of West Bengal Public Distribution System(Maintenance & Control) Order, 2013 which after promulgation of National Food Security Act, 2013, as well as Targeted Public Distribution System (Control) Order, 2015, has become redundant.

It is further submitted that similar issue is subjudiced before the Hon'ble Division Bench in MAT 1543 of 2024 wherein the Hon'ble Division Bench

had issued an interim order on 6th August, 2024 which is subsisting till 30th November, 2025. He prays for similar relief.

Learned counsel appearing on behalf of the respondent authorities submits that the matter is actually subjudiced, reasons why, the respondent authority though had issued notification but not proceed further, he seeks to take informations.

Having heard the learned counsel for the parties and also considering the fact that the issue involved herein is subjudiced before the Hon'ble Division Bench in MAT 1543 of 2024, I think is prudent to pass an interim order in terms of the order passed by the Hon'ble Division Bench.

Accordingly, the respondent authority may proceed with the selection process but so far as his licence is concerned the same shall not be issued in favour of any person till the disposal of the appeals before the Hon'ble Division Bench being MAT 1543 of 2024, if not already issued.

Let the matter appear in the list in second week of December, 2025 under the same heading.

Affidavit of service filed on behalf of the petitioner be taken on record.

(Subhendu Samanta, J)