

WPA 10460 of 2023

Tapasi Manna
Vs.
State of West Bengal & Ors.

Mr. Bhaskar Chandra Manna
.....for the petitioner

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee
.....for the State

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a fair price shop dealer at Village Mashagon, Post Office Dhandalibar, P. S. Marishda under Contai Sub-Division, District Purba Medinipur. She has been running the shop for quite sometime. In all, she is having 7629 number of ration cards tagged with her. It appears from a memorandum dated 11.02.2022 of the Food and Supplies Department that according to a new policy of the State Government, if a fair price shop has cards in the range of 5000 to 6000, then there shall be a scope of declaring vacancy for such area. It was also decided that a new fair price shop shall start with a range of 3000 to 4500 ration cards. So far as the petitioner is concerned, 7629 number of cards having been tagged with the petitioner was within the range of ration cards which can be retained by an existing fair

price shop. If a new fair price shop is started in the same area, then it could not have cards in the range of 3000 to 4500. Otherwise, the cards with the existing fair price shop would fall below 5000. Therefore, vacancy could not have been declared for the same area.

Learned counsel appearing on behalf of the State submits that his client would like to file a Report in the form of an affidavit in this regard.

Let the State file a Report within a week after the reopening of the Court from the ensuing summer vacation.

Exception, if any, be taken within a week therefrom.

List this matter for hearing on 22nd June, 2023.

Let the State respondent not finally appoint anyone in respect of the vacancy notification till 30th June, 2023.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance.

(Jay Sengupta, J.)