

01-04-2026
ct no. 10
Sl. 19
AGM

WPA 17530 of 2024
With
CAN 2 of 2026

Biswajit Chakraborty
-Versus-
State of West Bengal & Ors..

Ms. Setu Das Roy, Ms. Suranjana Nandi	...for the petitioner
Mr.Pankaj Agarwal, Mr. Sohom Saha	...for the Respondent no. 5.
Mr. Sandip Kr. De, Ms. Abhipriya Sarkar	...for the added respondents
Mr. Sandip Kr. De	...for the Addl. Party
Mr. Swapan Kr Dutta, Ld. GP Mr. Soumen Chatterjee	...for the State

1. The petitioner and the respondent no. 5 files exceptions to the report submitted by the State respondents. The same is taken on record.

CAN 2 of 2026

2. This is an application filed by the applicant seeking impleadment as the party respondent in the pending writ petition. It is submitted that subsequent to the filing of the Writ petition the applicant has been favoured with the grant of a licence, however, due to the order of status quo passed by this Court, the

applicant is unable to operationalise the said licence, causing grave financial hardship.

3. It is further submitted that since the applicant has not been made a party to the original Writ petition, however the interim order directly affects the statutory rights of the applicant to operate the FPS dealership.
4. The learned counsel for the petitioner vehemently opposes and submits that the licence has been granted by the state respondents during the pendency of the Writ petition, despite an order of settlement passed by the Coordinate Bench of this Court dated 04.03.2025. It is further submitted that the advertisement for filling the resultant vacancy has been published on 25.03.2025 immediately after the order passed on 04.03.2025, wherein leave has been granted to the petitioner and the private respondent to file the necessary petitions for settlement.
5. Having heard the parties this Court is of the view that since the applicant holds a licence which is currently stayed, the applicant being a necessary party to the proceeding, no effective order can be passed in his absence, otherwise the same shall violate the principles of natural justice and his rights shall be

affected directly or adversely due to the order of Status quo.

6. In view of the above CAN 2 of 2026 is allowed and disposed of and the applicant shall be impleaded as respondent No. 8. The petitioner is directed to amend the cause title during the course of the day and circulate the amended copy among all the parties.
7. Let the main Writ petition WPA 17530 of 2024 appear on 18th May 2026.
8. The application for addition of party be treated as affidavit in opposition to the main Writ petition and the petitioner is directed to file a reply to the same and serve upon the respective parties in advance.

(Smita Das De, J.)