

6.11.2025
Item No19
BR

WPA 22975 of 2025
Subrata Sarkar
-vs-
State of West Bengal and Ors.

Mr. S.Mondal
 Mr. Shasti Charan Dhara,
 ... for the petitioner

Mrs. Sonal Sinha,
 Mr. Amritalal Chatterjee,
 ... for the State

Affidavit of service filed by
 the petitioner be kept with the
 record.

The writ application has
 been preferred challenging the
 orders dated 11th February, 2022
 and 28th March, 2023 of the
 Director, DDP&S and appointment
 /engagement of new Fair Price Shop
 Dealership vide Memo No. 211/SCF
 & S/KGR/2025 dated 28.2..2025 as
 issued by the Sub-divisional
 Controller, Food and Supplies,
 Krishnagar(Sadar), District-Nadia.

The petitioner states that
 license has been issued in favour of
 the petitioner and renewed from
 time to time and subsisting till date.

It is the case of the petitioner that the Control Order 2013 has become non-existence and the Control Order could not have been notified or brought into existence after promulgation of National Food Security Act, 2013 and the Targeted Public Distribution System (Control Order), 2015 by the Central Government and as such, no vacancy can be declared either under 2013 Order Or 2024 Order. Moreover, as a matter of fact, the National Food Security Act, 2013 has been fully implemented in the State of West Bengal and as such Control Order 2013 has completely lost its force and has become redundant.

The petitioner has now challenged the vacancy notice dated 28.2.2025 stating that the said notification is against the order of the Government of West Bengal , Food and Supplies Department, Directorate of District Distribution Procurement and Supply issued under memo No. 834/FMR/10D-03/14 (Part-II) dated 28.03.2023.

Hence the writ application.

On hearing the parties and considering the nature of relief prayed for, the State is required to file a report in the present case.

Accordingly, let the report be filed by the State in the form of affidavit on the next date of hearing with and advance copy to the petitioner.

Matter be listed on 3rd December, 2025.

(Shampa Dutt (Paul), J.)