

18.10.2023

Srimanta

Sl. No. 15

Ct. No. 42

WPA/24546/2023

Jahangir Dafadar

-Vs.-

State of West Bengal & Ors.

Mr. Timir Baran Saha

...for the petitioner.

Mr. T. M. Siddiqui,

Ms. Amrita Panja Moulick

...for the State.

Mr. Amrit Lal Chatterjee

...for the respondent no. 9.

Affidavit-of-service filed in Court today be kept with the record.

The grievance of the petitioner is that licence of Dealership of Fair Price Shop was granted in favour of the respondent no. 9 violating the eligibility criteria with regard to measurement of the godown and character of the land. It is alleged by the petitioner that initially the godown of the respondent no. 9 was measuring about 157.7 sq. ft. but subsequently after receipt of offer letter she extended the godown which now measures approximately about 321 sq. ft. The eligibility criteria is that in case of a Dealer he must have a godown of 400 sq. ft.

It is submitted on behalf of the private respondent no. 9 that her godown was measuring about 411 sq. ft. and the measurement of her shop room is 220 sq. ft. Thus, she had made the eligibility criteria with regard to specification of godown and office-cum-shop room and, therefore, the licence was granted to her. Moreover, it is submitted by the respondent no. 9 that the petitioner has no *locus standi* to file the instant writ petition because of the

fact that the petitioner's godown is situated over an unregistered leasehold property.

The instant writ petition shall be heard on the basis of a report submitted by the State respondents. The State respondents are directed to file a report in the form of affidavit within two weeks after vacation and serve the copy of the same to both the petitioner and the respondent no. 9. They are at liberty to file an exception to the report within seven days from the date of receipt of the affidavit-in-opposition.

The instant writ petition be listed in the Combined Monthly List of December, 2023.

(Bibek Chaudhuri, J.)