

28.11.2023

Ct. no.654

Sl. Nos.1

sn

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 25199 of 2023**

**Md. Lukman Ali  
Vs.  
The State of West Bengal & Ors.**

Mr. Ramesh Dhara

..for the petitioner

Mr. Suman Sengupta

Mr. Srinath Sinha Roy

..for the State

Mr. S.P. Lahiri

Md. Habibur Rahaman

..for the respondent no.6

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

Mr. Ramesh Dhara, learned advocate for the petitioner submits that the MR dealership licence has been granted in favour of the respondent no.6 inspite of the fact that no document in respect of the ownership of the go-down has been annexed to the application of the respondent no.6 for such licence in accordance with the eligibility criteria provided in the notification and as such grant of MR dealership licence has been made in violation of terms of notification.

Mr. Suman Sengupta, learned advocate for the respondent nos. 1 to 5- State of West Bengal submits that MR dealership licence has been granted to the private respondent no.6 upon submission of all relevant papers required under the notification. Further the present writ

petition is not maintainable. He seeks to file report in the form of affidavit.

Mr. S.P. Lahiri, learned advocate for the private respondent no.6 also seeks to file affidavit-in-opposition.

Let the report in the form of affidavit be filed by State-respondents within two weeks from date; Exception thereto, if any be filed within a week thereof.

Let such affidavit-in-opposition be filed by respondent no.6 within a period of two weeks from date; Reply thereto, if any, be filed within a week thereof.

Let the matter appear after three weeks under the heading "Hearing".

The point of maintainability of the writ petition is kept open and shall be decided at the time of final disposal of the writ petition.

**(Bivas Pattanayak, J.)**