

09.02.2026

Item No. 01

Crt.No.10

b.r.

WPA 26506 of 2022

Subhayu Saha

-vs-

The State of West Bengal & Ors.

Ms. Pampa De (Dhabal)

.... For the petitioner.

Ms. Amrita Panja Moulick

.... For the State.

Parties are represented through their respective learned counsels.

The petitioner in the instant case has challenged, inter alia, the offer letter issued in favour of respondent no.7 by the respondent authorities for dealership against new/resultant vacancy under Memo No. 1206/SCFS/SURI dated 8.11.2022 to function as a Dealer at Near Dubrajpur T.B. Hospital of Village-Niramoy, Post and Gram Panchayat-Hetampur, Mouza-Mohanpur, P.S. and Block-Dubrajpur, Dist- Birbhum.

Learned counsel for the petitioner submits that despite having requisite qualification, the petitioner's application has been rejected. It is submitted that without conducting an enquiry, the offer letter has been issued in favour of the respondent no.7 for filling up the vacancy of FPS dealership.

Learned State counsel vehemently opposes and draws the attention of this court to paragraph-6 of the report and submits that upon being satisfied with the credentials of the private respondent, the FPS dealership was granted in accordance with law after conducting a proper, meaningful enquiry held by the field officer.

After careful consideration of the case, I find since the petitioner has made out a prima facie case, that the FPS dealership license has been granted in favour of the private respondent without conducting an enquiry and inspection, I direct the State-respondents to produce the entire records pertaining to the vacancy notification dated 3rd of January, 2022 on the next date of hearing.

Let this matter appear on **23rd of February, 2026 fairly at the top.**

(Smita Das De, J.)