

19.01.2026
Item No.15
Court No. 10
AGM

IN THE HIGH COURT AT CALCUTTA

Civil Appellate Jurisdiction
Appellate Side

W.P.A. 27860 of 2025

Pratima Mandal

-vs-

The State of West Bengal & Ors.

Ms. Papiya Chattopadhyay.

... For the petitioner.

Mr. Suman Sengupta. Ld. Sr. Govt. Adv.

Mr. Sambuddha Dutta.

Mr. Ritesh Kumar Ganguly.

... For the State.

1. The petitioner in the instant case prays inter alia, for the following reliefs:
 - a. "A writ in the nature of Mandamus commanding the respondent concerned, their men, agents, subordinates and each one of them to provide the FPS Dealer at Bagdipara (Central Location Bagdipara Puratan Durga Mandir), Uttar Cahndipur, (Vacancy Id: 202200221910), District: Malda in favour of the petitioner and permitting the petitioner to work as FPS dealer in the aforesaid vacancy by setting aside the remark 'reject' as displayed in the website of the respondents against the application of the petitioner and/or to act in accordance with law.
 - b. A writ in the nature of Prohibition is issued restraining the concerned respondents from allotting anybody against the said vacancy of FPS dealership at Bagdipara (Central Location Bagdipara Puratan Durga Mandir), Uttar Cahndipur, (Vacancy Id: 202200221910), District: Malda during the pendency of this writ petition.
 - c. A writ in the nature of Certiorari commanding the respondents concerned, their men, agents, subordinates and each one of them to certify and transmit the entire records before the Hon'ble Court so that conscionable justice may be done to the petitioners.

- d. Rule NISI in terms of prayers (a), (b) and (c) above .
- e. Grant interim order of injunction restraining the respondent and their men, agents, subordinates, and each one of them from filling up the vacancy of FPS dealership Bagdipara (Central Location Bagdipara Puratan Durga Mandir), Uttar Cahndipur, (Vacancy Id: 202200221910), District : Malda till disposal of the Rule.
- f. To make the rule absolute
- g. Costs and incidental charges of this application.
- h. To pass such order or further order or orders as Your Lordships may deem fit and proper.”

2. Main grievance of the petitioner is with regard to the order of rejecting the application of the petitioner in FPS vacancy without assigning any cogent reason.
3. The petitioner is an intending party who makes an application for filling up the vacancy of FPS Dealership at Uttar Chandipur Bagdipara, (Central Location Bagdipara Puratan Durga Mandir), ref Vacancy Id: 202200221910 issued by the respondent no. 7 as per provisions of West Bengal Public Distribution System (maintenance and Control) Order, 2013.
4. The petitioner submits that despite fulfilling all the eligibility criteria, the application for filling up of the vacancy of the FPS Dealership has been rejected without assigning any cogent reason.
5. Learned advocate for the State respondents relies upon Clause 5 of Para 5 of the “Notice Inviting Tender for grant of license against the vacancy of the FPS Ration shop” dated 14.5.2024.

6. It is submitted that in terms of the said Clause 5, the rejection of any application can be done at any stage of the processing of the applications without assigning any reason thereof.
7. The State respondents take a point of maintainability. The maintainability is kept open.
8. The State respondents are directed file a report in the form of affidavit by two weeks. Exception, if any, be filed one week thereafter.
9. Let this matter appear on 11th February, 2026.
10. In the meantime, parties are directed to exchange their affidavits.

[Smita Das De, J]

