

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/92/2026

FIROJA BIBI
VS
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE SMITA DAS DE

Date: March 6, 2026.

Appearance:

Mr. Asis Bhattacharyya, Adv.

Mr. Biswajit Mitra, Adv.

... for the petitioner

Mr. Amal Sen, Ld. A.A.G

Ms. Debdooti Dutta, Adv.

...for the State

The Court:- The petitioner in the instant case applied for grant of license against vacancy of a Fair Price Shop (Ration Shop) being vacancy Id: 202400218501 Memo No. 276/S.C.F & S/TFG/2024 dated 17.12.2024. In terms of order dated 2nd August, 2024 a Co-ordinate Bench of this Court in WPO/677/2024 has held which is produced below:

“It is directed to the authority concerned that the concerned State authority shall take positive and appropriate steps so that a new Fair Price Shop may be established in the cited location at Madhya Dhadial under Nakkatigach G.P, P.S. Tufanganj, Dist. Cooch Behar as early as possible, more preferably within eight weeks by declaring a new vacancy as per law. In doing so, the authority concerned must consider the application of the present petitioner if she applied for the vacancy. If it appears to the authority concerned that the application of the petitioner is quite

maintainable according to the law, for creation of a new shop, she may be allowed to participate in the proceedings for the new vacancy. This order shall not create any weightage in favour of the petitioner.

With the above observations, the present writ petition is disposed of.”

The petitioner submits that in terms of earlier order dated 02. 08.2024 vacancy notice has already been advertised and subsequent thereto several inspections were held but till date the result of such appointment remains awaited and the application of the writ petitioner remains pending which is the subject matter of challenge in the instant writ petition.

Mr. Amal Sen, Ld. A.A.G seeks time to file a report by way of an affidavit to bring on record with regard to the status of the issues involved herein.

In view of the above, I direct the State/respondent to file a report in the form of affidavit within three weeks; exception, if any, within a week thereafter.

List this matter on 10th April, 2026.

(SMITA DAS DE, J.)