

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/365/2025
NASIR UDDIN DEWAN
VERSUS
THE STATE BANK OF INDIA & ORS.

BEFORE

The Hon'ble Justice SUBHENDU SAMANTA

Date: 19TH JUNE, 2025.

Mr. Saptangshu Basu, Sr. Adv.
Mr. Ramesh Dhara, Adv.
Gourav Banerji, Adv.
...for the petitioner
Mr. Syed E. Huda, Adv.
Sk. Aptabuddin, Adv.
Ms. Nabeela Akbar, Adv.
...for respondent Nos. 5 and 6

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

Despite service, none appears on behalf of the State-respondent.

Mr. Huda, learned counsel appears on behalf of the private respondent Nos. 5 and 6.

The petitioner challenges the reasoned order dated November 6, 2024, passed by the Principal Secretary, Department of Food and Supplies, Government of West Bengal in compliance with the direction of this Court in WPA/22209/2024.

Mr. Bose, learned Senior Advocate appearing on behalf of the petitioner submits that the impugned order passed by the Principal Secretary *de hors* to the direction of this Court vide its order dated September 10, 2024. He submits that the Principal Secretary has considered extraneous document in passing the impugned order. He prayed for setting aside the impugned order.

Mr. Huda, learned counsel submits that the Principal Secretary has considered the entire record and also considered the official records placed by the concerned Sub-divisional Controller, Canning and passed the impugned order.

Having heard the learned counsel for the parties, it appears that two Notarial Partnership Deeds were placed before the Principal Secretary. One is dated January 21, 2004 and another is dated April 12, 2004. The SCFS concerned during hearing submitted that the Partnership Deed dated April 12, 2004 is available in the office records, that was objected by the petitioner with the contention that the license was issued in the name of partnership firm by virtue of Partnership Deed dated January 21, 2004.

Having heard the rival submissions of the parties, it appears that the issue cannot be decided without giving appropriate opportunity of hearing to the State-respondent.

Let the matter appear in the list on July 18, 2025 under the same heading.

The petitioner is directed to serve notice upon the State-respondent coupled with the copy of this order. The State shall appear along with detailed report pertaining to this matter on the adjourned date.

(SUBHENDU SAMANTA, J.)