

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. _____ /2026
(@SLP(C) NOS. 20519-20521/2019)

UDYOG TRADERS

APPELLANT(S)

VERSUS

BIRENDRA NATH DEY(D) THROUGH LRS. & ORS.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard learned senior counsel for the appellant.
3. The appellant was granted Distributorship License under the West Bengal Public Distribution System (Maintenance and Control) Order, 2003 (for short "Control Order"). The said Control Order has been revised from time to time on several occasions and the appellant has been granted license under the revised Control Orders also. Thus he is continuing to operate the Distributorship License even today.
4. The respondent(s) who has challenged to grant of license to the appellant, expired and none of his heirs and legal representatives have come forward to pursue the challenge.
5. In view of the aforesaid facts and circumstances, as the appellant has continued with the Distributorship License so far without any break and there is no one aggrieved, we are of the opinion that he should be allowed to operate the distributorship.
6. Accordingly, the impugned order dated 02.08.2019 passed by the High Court is set aside and the appellant is at liberty to withdraw the amount deposited before the High Court.

7. The appellant may continue to operate the Distributorship License subject to any modification by respondent No.7 as per the State Policy.
8. The appeals are disposed of in the aforesaid terms.
9. Pending application(s), if any, shall stand disposed of.

.....J.
(PANKAJ MITHAL)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
MAY 07, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).20519-20521/2019
[Arising out of impugned final judgment and order dated 02-08-2019
in CAN No. 9891/2018 02-08-2019 in CAN No. 289/2019 02-08-2019 in
FMA No. 85/2019 passed by the High Court at Calcutta]

UDYOG TRADERS

Petitioner(s)

VERSUS

BIRENDRA NATH DEY(D) THROUGH LRS. & ORS.

Respondent(s)

(IA No. 129380/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 19473/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 189732/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 129383/2019 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 07-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Uday Gupta, Sr. Adv.
Mr. Hiren Dasan, AOR
Ms. Shivani Lal, Adv.
Mr. Ajay Sharma, Adv.
Mr. Mahendra Mali, Adv.
Mr. Harshit Shishodia, Adv.
Mr. Deepanshu Rana, Adv.

For Respondent(s) Mr. Soumitra G. Chaudhuri, Adv.
Mr. Chanchal Kumar Ganguli, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeals are disposed of in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(NIDHI MATHUR)
COURT MASTER (NSH)

(Signed order is placed on the file)