

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17454 of 2013

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Kamla Singh, son of Late Kailashpati Singh, resident of Village - Karnpura,
P.O. Aamdarhi, Police Station - Ekma, District - Saran (Chapra)
.... Petitioner.

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna
2. The Selection Committee, under Essential Commodities Act through its Chairman, the District Magistrate, Saran at Chapra
3. The District Magistrate, Saran at Chapra
4. The District Supply Officer, Saran at Chapra
5. The Sub- Divisional Officer, Chapra Sadar, District - Saran
6. The Block Supply Officer, Ekma, District - Saran

.... Respondents

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 28-09-2015 Heard learned counsel for the petitioner and the State.

One Kailashpati Singh, father of the petitioner, hold P.D.S. license, bearing license no. 98 of 2007, under P.D.S. Control Order, 2001. He died in the year 2011.

The petitioner, who is the son of Kailashpati Singh, applied for P.D.S. license under Clause 2.5 of 2007 Control Order, as amended in 2011, on 10.09.2011. The application of the petitioner was rejected on the ground that his father was more than 65 years of age on the date of his demise i.e. on 03.08.2011.

The petitioner submits that his father was less than

55 years of age at the time of his death. The petitioner submits that no opportunity was given to him to explain the aforesaid position before the licensing authority.

In my view, the petitioner should get a chance to explain his case that his father was less than 55 years of age at the time of his death.

In the circumstances, this writ application is disposed of with liberty to the petitioner to approach the appellate authority within one month from today. In case, any such appeal is filed, the delay in filing the same would be condoned, as the petitioner was pursuing his remedy before this Court.

With the aforesaid observation, this application stands disposed of.

(Samarendra Pratap Singh, J.)

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