

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13370 of 2013

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Chitranshu Kumar, Son of Late Ram Murti Yadav, Resident of Village -
Dudhpura, P.O. - Mangalgarh, P.S. - Hasanpur, District - Samastipur
..... Petitioner

Versus

1. The State of Bihar through the Secretary Food and Consumer Protection
Department, Old Secretariat, Patna
 2. The Sub-Divisional Officer, Rosra, District - Samastipur
 3. The Circle Officer-Cum-Block Supply Officer, Hasanpur, District -
Samastipur
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh
For the Respondent/s : Mr. Jaishankar Barnwal

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 01-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner prays for quashing the order passed by
the Circle Officer-cum-Block Supply Officer, Hasanpur vide
Memo no. 245 dated 24.12.2011 by which wards and consumers,
which has been allotted by the licensing authority, has been shifted
to other P.D.S. dealers and further to restore the petitioner's ward
and consumers to its P.D.S. shop.

The petitioner holds license under the P.D.S. system.

The petitioner submits that earlier the licensing
authority tagged the consumers of P.D.S. shop of Ashok Kumar
with his shop. However, on the direction of the licensing authority,
the Circle Officer-cum-Block Supply Officer, Hasanpur shifted

the wards and consumers to other P.D.S. dealers. He submits that the same is not permissible and relies upon order of this Court dated 07.12.2012 passed in C.W.J.C. No. 4968 of 2011.

A counter affidavit has been filed on behalf of the respondent nos. 2 and 3.

Mr. Barnwal, learned counsel for the respondents submits that the order dated 07.12.2012 passed in C.W.J.C. No. 4968 of 2011 would not apply in the instant case, as in the aforesaid case the ward was changed. He next submits that it would have been for the consumers to have raised their objections. He further submits that the petitioner, if aggrieved, can file his representation before the Collector of the district.

Having regard to the facts and circumstances of the case, if the petitioner files a representation before the licensing authority, he would dispose of the same within three months from the date of receipt of a copy of this order.

This application stands disposed of.

(Samarendra Pratap Singh, J.)

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