

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.4453 of 2016

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Hanuman Prasad, son of Sri Jai Narayan Yadav, Resident of Village- Kachada,  
P.S.- Benipatti, P.O.- Bankatta, District- Madhubani.

.... .... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Food and Public Distribution, New Delhi.
2. The State of Bihar, through Chief Secretary, Bihar, Patna.
3. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.
4. The Principal Secretary, Law Department, Bihar, Patna.
5. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
6. The Additional Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
7. The Joint Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
8. The Deputy Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
9. The Divisional Commissioner, Saran (Chapra) Division, Bihar.
10. The Divisional Commissioner, Darbhanga Division, Darbhanga.
11. The Divisional Commissioner, Purnea Division, Purnea.
12. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
13. The Divisional Commissioner, Munger Division, Munger.
14. The Divisional Commissioner, Patna Division, Patna.
15. District Magistrate, West Champaran (Bettiah).
16. District Magistrate, East Champaran (Motihari).
17. District Magistrate, Muzaffarpur.
18. District Magistrate, Sitamarhi.
19. District Magistrate, Sheohar.
20. District Magistrate, Vaishali.
21. District Magistrate, Saran (Chapra).
22. District Magistrate, Siwan.



23. District Magistrate, Gopalganj.
24. District Magistrate, Darbhanga.
25. District Magistrate, Madhubani.
26. District Magistrate, Samastipur.
27. District Magistrate, Begusarai.
28. District Magistrate, Saharsa.
29. District Magistrate, Madhepura.
30. District Magistrate, Supaul.
31. District Magistrate, Purnea.
32. District Magistrate, Katihar.
33. District Magistrate, Araria.
34. District Magistrate, Kishanganj.
35. District Magistrate, Bhagalpur.
36. District Magistrate, Banka.
37. District Magistrate, Munger.
38. District Magistrate, Jamui.
39. District Magistrate, Khagaria.
40. District Magistrate, Lakhisarai.
41. District Magistrate, Sheikhpura.
42. District Magistrate, Patna.
43. District Magistrate, Nalanda (Biharsharif).
44. District Magistrate, Bhojpur (Arrah).
45. District Magistrate, Rohtas (Sasaram).
46. District Magistrate, Buxar.
47. District Magistrate, Kaimur (Bhabua).
48. District Magistrate, Gaya.
49. District Magistrate, Nawada.
50. District Magistrate, Aurangabad.
51. District Magistrate, Jehanabad.
52. District Magistrate, Arwal.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate  
Ms. Ranjeeta Singh, Advocate



Mr. Akash Keshav, Advocate  
Mr. Kundan Kumar, Advocate.  
For the Respondent/s-State : Mr. Patanjali Rishi, A.C. to A.A.G.-10  
For the Respondent- UOI : Mr. Tuhin Shanker, C.G.C.  
For the Intervenors : Mr. Sunil Kr. Verma, Advocate  
Mr. Suman Kr. Verma, Advocate  
Mr. Pramod Kr. Prasad, Advocate  
Mr. Anish Kumar, Advocate  
Mr. Chakrapani, Advocate  
Mr. Ashok K. Karna, Advocate  
Mr. Tuhin Shanker, Advocate

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**  
**And**  
**HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE ACTING CHIEF JUSTICE)**  
**Date: 14-12-2016**

The petitioner in the present writ application in public interest has sought directions to implement the Targeted Public Distribution System (Control) Order, 2015 issued by the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distributions), Government of India, New Delhi as published on 20<sup>th</sup> March, 2015.

The grievance of the petitioner was that although in terms of such Control Order, the State Government was required to publish the fresh scheme, but the PDS licenses are being issued under the old Control Order.

Learned counsel for the State has pointed out that in



fact, in terms of the Control Order issued by the Government of India, the State has promulgated Bihar Targeted Public Distribution System (Control) order, 2016, as published on 10<sup>th</sup> March, 2016 and that the licenses shall be issued only in terms of the Control Order published on 10<sup>th</sup> of March, 2016.

In view of the fact that the State has framed a Control Order as published on 10<sup>th</sup> of March, 2016, the licenses for implementing the Public Distribution System shall be issued in terms of the said Control Order and in accordance with law.

With the said direction, the writ petition stands disposed of. All interim orders granted earlier shall stand vacated and interlocutory applications are disposed of having rendered infructuous.

**(Hemant Gupta, ACJ)**

**(Arvind Srivastava, J)**

Sunil

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