

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14165 of 2015**

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Fair Price Dealers Association, Registres Office Bhikhna Pahari, Patna- 4  
and Head Office, Urban Tola, New Bypass Road, Anisabad, Patna- 2  
through its Secretary, Shreekant Labh, Son of Late Yadunath Labh,  
Resident of Muhalla- Uran Tola, P.O.- Anisabad, P.S.- Gardanibag,  
District- Patna.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Aurangabad, District- Aurangabad.
3. The Sub- Divisional Officer-cum- Licensing authority, Daudnagar, District- Aurangabad.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Rajeev Kumar Labh, Advocate  
For the State : Mr. Mritunjay Kumar, AC to AAG 10

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

9      28-06-2016                      Heard learned counsel for the petitioner and the State.

The petitioner has challenged the advertisement for selection of candidates for grant of PDS licence in Haspura Block within the District of Aurangabad. The advertisement has been appended as Annexure 3.

It is contended on behalf of the State that in the counter affidavit filed on behalf of the respondent nos. 2 and 3, it has been categorically stated in paragraph 13 that in view of the fact that there is no vacancy of any PDS shop under Haspura Block of Aurangabad District, the State is not going ahead for grant of such PDS licence to anybody, thus, it is contended that this writ

application has become infructuous.

Learned counsel for the petitioner also submits that after such averment made in the counter affidavit, this writ application has become infructuous.

Accordingly, this application is dismissed as infructuous.

**(Dr. Ravi Ranjan, J)**

SC/-

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