

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.279 of 2017

IN

Civil Writ Jurisdiction Case No. 19832 of 2011

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Bijay Kumar Singh, Son of Late Shyam Sunder Prasad Singh, Resident of Village-Mankurha, Khanpura, P.S.-Paliganj, District-Patna

.... Appellant/s

Versus

1. The State of Bihar through the Commisioner-cum-Secretary, Food and Civil Supply, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Paliganj District-Patna.
4. The Block Supply Officer, Paliganj, District-Patna.
5. Shyam Sharma, Chairman of PACS Manpura Taranpur, Son of Late Padamdeo Narayan Singh, Resident of Village + P.O.-Khanpura, P.S.-Paliganj, District-Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajendra Sharma

For the Respondent/s : Mr. S Raza Ahjmad,AAG5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 13-11-2017

Appellant claims for a dealership under the Public Distribution System and calls in question allotment of dealership to a Primary Agriculture Credit Co-operative Society. Finding that the aforesaid issues seems to be a business rivalry and taking note of the various claims of the dealership business it has been held that grant or refusal of licence is an executive act until and unless it is found to be contrary to the statutory orders, the learned Writ Court refused to interfere into the matter.



We see no error in the order passed by the learned Writ Court warranting reconsideration in the matter.

Learned counsel for the appellant tried to indicate that certain notification and guidelines have been violated and, therefore, the order is unsustainable. Even on such ground now for the allotment made in the year 2011, based on certain developments that have taken place subsequently we see no reason to make any indulgence in the matter.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl./-

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