

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7820 of 2017

=====

Saroj Devi @ Saroja Devi @ Rukmini Devi Wife of Late Bechan Paswan, Resident of Village- Azad Nagar, Bhoari Tola, P.O.- Bhoari, Police Station- Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The District Supply Officer, Gaya.
4. The Sub- Divisional Officer, Gaya.
5. The Block Development Officer, Tekari, District- Gaya.
6. The Block Supply Officer, Tekari, District- Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Adv.
Mr. S.K. Barnwal, Adv.

For the Respondent/s : Mr. Nikhil Kr. Agrawal, AC to GP-9

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 02-11-2017

Heard learned counsel for the petitioner and counsel for the State.

In the present case, the husband of the petitioner was running a P.D.S. shop having valid license bearing License No. 2 of 2002 but, he died on 25.3.2006 at the age of 37 years leaving behind his wife (the petitioner) with responsibility of four minor children and after the death of husband, she has filed an application for grant of compassionate license for running the P.D.S. shop saying that she has a responsibility to run family with four minor children. When nothing has happened, she filed an application dated 6.5.2006 along with the affidavit, she again filed an application on



14.2.2007 reiterating the prayer for grant of license and even she has filed an application on 20.9.2016 but, no action has been taken for granting license on compassionate ground.

When the petitioner has filed an application for grant of compassionate license for running P.D.S. shop, it was the duty of the respondent authority to examine her claim and should have granted license but, it appears that no action has been taken. In that view of the matter, this Court directs the District Magistrate, Gaya to ensure that the application of the petitioner should be placed before the Compassionate Appointment Committee who will consider the case of the petitioner as also the enquiry report dated 5.7.2007 and will take a decision with regard to granting license to the petitioner as early as possible within a period of four months from the date of receipt/production of a copy of this order.

For convenience, the petitioner is directed to file a detailed representation to the District Magistrate, Gaya along with a copy of this order who will be obliged to carry out the order as stated herein above.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2017
Transmission Date	NA

