

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19121 of 2015

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Fair Price Dealers Association, Betwan Bazar, Munger, P.S. - Kasim Bazar, District - Munger through its Chairman, Chandra Prakash Prasad Son of late Raghunandan Prasad Resident of Shadipur P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
3. The Managing Director, Bihar State Food Corporation, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sushmita Mishra, Advocate
For B.S.F.C. : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 18-01-2017

The petitioner, an association of Fair Price Dealers, has invoked writ jurisdiction of this Court so as to claim enhanced commission, at least equal to minimum wages, as is required for maintenance as they are persons below poverty line.

2. We do not find that the licensees of Public Distribution System are entitled to commission at par with the minimum wages as they are not the employees of the State Government. They are self employed. If they find that the commission being given to them is inadequate, there is no



compulsion for them to continue with the dealership.

3. Consequently, we do not find any merit in the present writ application.

4. The present writ petition is accordingly dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.01.2017
Transmission Date	N/A

