

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19832 of 2011

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

.... Petitioner/s

Versus

1. The State of Bihar through its Commissioner -cum- Secretary, Food and Civil Supply, Patna.
2. The District Magistrate, Patna.
3. The S.D.O., Paliganj, Patna.
4. Block Supply Officer, Paliganj, Patna.
5. Shyam Sharma, Chairman Of Pax, 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 Petitioner/s : Mr. Rajendra Sharma, Advocate

For the Respondent/s : Mr. Rajiv Roy, GP-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

10 25-01-2017 Heard Mr. Rajendra Sharma, learned counsel
appearing for the petitioner and learned counsel for the State.

The petitioner himself is a dealer under the Public Distribution System and is trying to question the allotment of dealership to the Khanpura Taranpur Primary Agriculture Credit Cooperative Society. Besides the fact that the issues raised confirm that it is a plain case of business rivalry, even the Division Bench judgment relied upon by Mr. Sharma, learned counsel for the petitioner to espouse the case of the petitioner rendered in the case of Bihar Pradesh Jan Bitran Pranali Dukandar Sangh vs. The State of Bihar arising from CWJC No.15157 of 2011 and analogous cases does not come to his aid.



The judgment of the Division Bench is on an altogether different issue and does not debar a cooperative society from allotment of licence.

Grant or refusal of licence is an executive act and unless found contrary to the statutory prescriptions, such decision are not required to be interfered with.

No cause for indulgence is made out. The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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