

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5132 of 2016

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Asfa Rahman, Wife of Aquilur Rahman, R/o - Village- Sujawalpur, PO-Dholi, PS. Sakra, District Muzaffarpur.

.... Petitioner

1. Versus

1. The State of Bihar.
2. The Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Joint Secretary, Food and Consumer Protection Department, Bihar Patna.
4. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited. Sone Bhawan, 5th Floor, Veer Chand Patel Marg, Bihar Patna-1.
5. The Officer-On-Special Duty, Bihar State Food & Civil Supplies Corporation Limited. Sone Bhawan, 5th Floor, Veer Chand Patel Marg, Bihar Patna-800001.
6. The District Magistrate, Muzaffarpur.
7. The S.D.O. East Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Fakhruddin Ali Ahmad, Advocate.

For the Respondents : Mr. Jai Shankar Barnwal, G.A. 5.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 10-04-2017

The grievance of the petitioner in this writ petition is with regard to the 'Public Distribution System' it is said to be that contrary to the policy of the Government with reference to the number of P.D.S. Units to be set up with reference to the population of the persons living in a particular area. It is alleged that P.D.S. Units are being permitted to be opened contrary to the policy thereby giving rise to unhealthy competition and adversely affects the distribution system. That apart, pointing that in the



matter of fixing price also there is no proper guidelines. The writ petition has been filed in public interest.

The State Government has filed a counter affidavit and they say that the 'Public Distribution System' is working in accordance to the Gazette Notification issued by the State Government on 14.03.2016. Be that as it may, in case, the petitioner feels that the working of the 'Public Distribution System' is contrary to the policy or the notification, then specific instance of violation or breach by a Unit may be pointed out and the petitioner may agitate the matter before the competent authority of the State Government and the competent authority of the Department may look into the matter and pass direction as are permissible under the law.

With the aforesaid liberty, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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