

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12634 of 2017

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Anil Kumar Singh Son of Sri Rajendra Singh, resident of Mohallah Krishna Chauk, Near Shishmahal, Majhauriya Road, P.S. Kazimohammadpur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary in the Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, Government of India, Krishi Bhawan, New Delhi.
2. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Food and Consumer Affairs, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kaushalesh Choudhary, Advocate
For the Respondent/s	:	Mr. LALIT KISHORE -AG
For U.O.I.		Mr. S.D. Sanjay, Addl. S.G.
		Dr. Poonam Singh, CGC

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-09-2017

This petition has been filed seeking dual relief. As far as the relief of amending Section 10(2) and 16(3) of the Consumer Protection Act, 1986 and enhancing the age of superannuation/retirement of the officers appointed are concerned, it is a matter, legislative in nature, purely within the domain of the legislative authorities and a Writ Court cannot issue a mandamus in this regard. Therefore, we are not inclined to go into the said question. The prayer made for amendment to Sections indicated



hereinabove and enhancement of the age of superannuation/retirement of the officers appointed are rejected.

However, another prayer made is that various posts are lying vacant and no steps have been taken for filling them up. The State Government is directed to look into the aforesaid grievance and ensure that all the vacant posts are filled up within a period of six months.

With the aforesaid, this application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	5.10.2017
Transmission Date	

