

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15546 of 2016

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Kamlesh Kumar, son of Late Suryadeo Choudhary, resident of Village- Maripur,
P.S. and Block- Phulwariya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Joint Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The District Magistrate-cum- Chairman of Compassionate Appointment Committee, Gopalganj.
4. District Supply Officer, Gopalganj.
5. The Sub Divisional Officer, Gopalganj.
6. The Sub Divisional Officer, Hathwa.
7. District Co-operative Officer, Gopalganj.
8. District Project Officer, Gopalganj.
9. District Account Officer, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Adv.

For the Respondent/s : Mr. S.Raza Ahmad, Sr. Adv.

Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-06-2017

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

In this case, the petitioner is seeking direction from this
Court for grant of licence to the petitioner on compassionate ground
on the plea that his father was having a valid licence for running the
P.D.S. shop, having died, he is entitled for grant of P.D.S. licence on
compassionate ground.



It has been claimed that the father of the petitioner has died on 26.9.2014 leaving behind his wife and two sons and one daughter, whereafter, the petitioner has filed an application for grant of licence in his favour on compassionate ground.

In the writ application, it has been mentioned that the Block Supply Officer, Phulwariya (Gopalganj) has recommended the name of the petitioner for grant of P.D.S. Licence on compassionate ground before the Sub-Divisional Officer, Hathwa on 18.12.2015. The Sub-Divisional Officer, Hathwa, vide letter dated 25.2.2016, also recommended the name of the petitioner for granting in the P.D.S. Shop licence on the compassionate ground which is pending before the Compassionate Committee, Gopalganj and, since then, no final decision has been taken either in favour or against the petitioner.

Learned counsel for the State has submitted that as there was blanket stay in another case during pendency of the writ application which has been vacated and, as such, the case of the petitioner could not be considered. As on today, there is no stay at all for consideration of granting of licence on compassionate ground.

Let the Compassionate Committee, Gopalganj should consider the case of the petitioner with respect to granting of P.D.S. licence on compassionate ground expeditiously preferably within a period of three months from the date of receipt/production of a copy



of this order.

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

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2017
Transmission Date	NA

