

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7239 of 2018

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Ram Binay Prasad Yadav, S/o Late Dun Bahadur Rai, Resident of Village-
Sahilaballi, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food Commerce & Civil Supplies, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub Divisional Officer, East Muzaffarpur.
4. The Additional District Supply Officer, Muzaffarpur.
5. The Supply Officer, Aurai Block, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Pradhan Murli Manohar Prasad
Mr. Raju Kumar Goswami, Advocates.
For the Respondents : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-04-2018

The present writ petition has been filed for the
following reliefs –

*“(i) To issue an appropriate order/s, direction/s including
a writ preferably in the nature of Mandamus commanding
and directing upon the respondents to issue fair price shop
license to the petitioner on compassionate ground on
account of death of his father before attaining the age of
58 years, in terms of Clause 10 of the Bihar Targeted P.D.S.
(Control) Order, 2016.*

*(ii) To direct the respondents to issue license on aforesaid
ground taking into the consideration that the petitioner is
a dependent upon his father and other family members
have forsaken their claim in favour of him.*

*(iii) To any other relief(s) to which the petitioner is entitled
in the facts and circumstances of the case.”*

2. At the very outset, learned counsel for the petitioner



submits that it will suffice if the petitioner is permitted to file appropriate representation before the Sub-Divisional Officer, East, Muzaffarpur in connection with his application for compassionate appointment filed on 23.01.2016 (Annexure-5) for redressal of his grievances raised in the present writ petition, in which event, the present writ petition need not be pressed on merits.

3. Learned counsel for the respondents appears and has been heard. No counter affidavit has been filed.

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of granting liberty to the petitioner to file a fresh representation before the Sub-Divisional Officer, East Muzaffarpur (respondent no. 3) for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of expeditiously and preferably within a further period of eight weeks thereafter in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

