

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9455 of 2015

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Raju Paswan S/o Rajendra Paswan resident of village- Kapurpatti, P.O. Koilam
, P.S. Kalyanpur , District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar Through Principal Secrerary Of Food And Consumer Protection Department , Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub Divisional Officer, Sadar , Samastipur
4. The Block Supplies Officer, Sadar Kalyanpur, District- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv

For the Respondent/s : Mr. AAG10- P.N.SHAHI

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-08-2018

The present writ petition has been filed for a direction to the authorities concerned to set aside the advertisement dated 27.03.2015 published in the daily Newspaper 'Prabhat Khabar' (Mzaffarpur Edition) regarding appointment of PDS Dealers in different Panchayats within the Samastipur District after observing the applicable reservation policy; and for connected reliefs.

2. Learned counsel for the petitioner submits that the advertisement has been issued for appointment of PDS dealers in different Panchayats of Samastipur District contrary to the reservation policy and as such the same is liable to be quashed.



3. Learned counsel for the respondents on the other hand, invites reference to para 7 of the counter affidavit and refers to Clause 2.2 of the PDS Control Order (3rd Amendment), 2014, according to which the reservation criteria was applicable only at the Sub-divisional level.

4. Having heard the parties and on consideration of the materials on record, this Court finds the writ petition to be devoid of merit. A specific stand has been taken in the counter affidavit that the reservation criteria is applicable only at Sub-divisional level and not at the Panchayat level in view of Clause 2.2 of the PDS Control Order (3rd Amendment), 2014, (Annexure-A to the counter affidavit). The stand of the respondents has not been controverted and no rejoinder to the counter affidavit has been filed by the petitioner.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/Md. Ibrarul

AFR/NAFR	NAFR
CAV DATE	NA
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