

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22413 of 2014

=====

Md. Alam. Son of Abdul Karim. Resident of village - Fasiya, P.S.- Muffassil,
Ranipatra, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar, through the Joint Secretary, Food and Civil Supply Department, Bihar, Patna.
2. The District Magistrate, Purnea.
3. The District Supply Officer, Purnea.
4. The Sub-Divisional Officer, Purnea.
5. The Block Supply Officer, Purnea East.
6. The Badri Rishideo. Son of Late Charitar Rishideo. Resident of village - Birpur, Block - Purnea East, P.S. and District - Purnea.

.... Respondent/s

=====

Appearance :

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

For the Respondent/s : Mr. GP31- SMT. BINITA SINGH

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-08-2018

The present writ petition has been filed for quashing the office order as contained in memo no. 413 dated 13.10.2014 passed by the Sub Divisional Officer, Sadar, Purnea (respondent no. 4) as contained in Annexure-1 whereby and whereunder the licence of Public Distribution Fair Price shop of the respondent no. 6 has been restored.

2. Learned counsel for the petitioner submits that the impugned order dated 13.10.2014 is liable to be quashed inasmuch as the respondent no. 6 was ineligible for grant /restoration of PDS licence as he was holding a post of benefit in the Government (Vikas Mitra) contrary to the Rule 2.6 of



the Essential Commodities Act, 1955.

3. Learned counsel for the respondents appears and has been heard.

4. Having regard to the nature of the grievance of the petitioner, this Court is of the view that the interest of justice will be met if the petitioner is granted liberty to approach the Sub Divisional Officer, Purnea (respondent no. 4) with a representation for redressal of his grievances. If any such representation is filed within a period of three weeks, the same shall be considered and disposed of after grant of opportunity of hearing to the petitioner as well as to the respondent no. 6, in accordance with law expeditiously and in any event within a period of two months thereafter.

5. The writ petition stands disposed of.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2018
Transmission Date	NA

