

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9291 of 2014

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RAM BABU JHA Social Worker Son of Late Ram Charitar Jha Resident of Village
- Kushothar Post - Kusothar, P.S. Bahadurpur, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar, through the Commissioner-Cum- Secretary, Department of Food, Civil Supply and Commerce, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Darbhanga.
3. The S.D.O. Darbhanga, Darbhanga.
4. The District Supply Officer, Darbhanga.
5. Anand Kumar Choudhary, resident of village Haripatti, Post Laheriasarai, District Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar Kumar, Adv

For the Respondent/s : Mr. PANDEY S SAHAY

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-08-2018

As prayed, learned counsel for the petitioner is permitted to make correction in para 1 of the writ petition on account of inadvertent typing omission, which is permitted to be done in course of the day.

2. As prayed, learned counsel for the petitioner is also permitted to implead Anand Kumar Choudhary, resident of village Haripatti, Post Laheriasarai, District Darbhanga as respondent no. 5 in the array of parties in course of the day.

3. The present writ petition has been filed for a direction to the respondents not to allow the respondent no. 5 to run the PDS shop illegally and in violation of Government letter No. 8444 dated 08.10.1980 (Annexure-1).

4. Learned counsel for the petitioner submits that no action is being taken by the authorities to stop the respondent no. 5 from running his PDS



shop contrary to and in violation of Government circular No. 8444 issued by the Food Commissioner, Government of Bihar as contained in Annexure-1. A representation has been filed on 28.11.2008 before the District Magistrate, Darbhanga, but to no avail. It is submitted that the Block Supply Officer, Bahadurpur by letter No. 53 dated 18.03.2012 (Annexure-2) recommended adjustment of the licence of the respondent no. 5 in Haripatti Panchayat.

5. Learned counsel for the respondents-State appears and has been heard. It is pointed out that the writ petition has been filed after an inordinate delay in the year 2014 after filing the representation in the year 2008.

6. Be that as it may and having regard to the nature of the grievance of the petitioner as well as the recommendation of the Block Supply Officer as aforesaid, this Court is of the view that the ends of justice will be met if the District Magistrate, Darbhanga (Respondent No.2) is directed to consider and dispose of the petitioner's representation dated 28.11.2008 to which the petitioner and other persons are signatory, if not already disposed of, in accordance with law expeditiously and in any event preferably within a period of six weeks from the date of receipt/production of a copy of this judgment.

7. The writ petition stands disposed of.

(Vikash Jain, J)

Chandran/Md. Ibrarul

AFR/NAFR	NAFR
CAV DATE	NA
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