

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14613 of 2017

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Fair Price Dealers Association through its Sub-Divisional Secretary Sanjay Kumar Labh Son of Late Shreekant Labh Resident of Village - Dudhpura, P.O. - Mangalgarh, P.S. - Hasanpur, District - Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Additional Secretary, food and Consumer Protection Department, Old Secretariat, Patna.
3. The Collector, Samastipur, District - Samastipur.
4. The Sub-Divisional Officer, Rosara, District - Samastipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajeev Kumar Labh, Advocate.

For the Respondents : Mr. Arbind Ujjawal - SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-07-2018

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

2. The present writ petition has been filed for quashing the circular issued by the State of Bihar, Food and Consumer Protection Department under the signature of Additional Secretary of the stare vide Memo No. Pra 07-Misc.-16/2015-1222 dated 08.03.2017 whereby and whereunder it has been stated to all the regional Commissioner/ all the District Magistrate to make roaster under provision of Bihar Targeted Public Distribution System (Control) Order, 2016 and provision of General Administration Department in which 35%



reservation for women has been logically and practically allowed under circular no. 2342 dated 15.02.2016 and for quashing the vacancy made out by the authorities concerned for Rosara Sub-Division within district of Samastipur in a roster for the same contained in Annexure-1 (Series).

3. At the very outset, this Court takes note that similar challenge was made in C.W.J.C. No. 10989 of 2017 (Fair Price Dealers Association Vs. The State of Bihar and Others) along with analogous cases which was however not entertained on grounds of non-maintainability.

4. The judgment dated 03.04.2018 passed in the aforesaid cases has not been shown to have been set aside or modified.

5. In the above view of the matter, the present writ petition is also held to be not maintainable and is dismissed as such.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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