

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8284 of 2015

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Mosmat Lakhpati wife of Late Suresh Prasad, Resident of Village + Post Office -
Sheorajpur, Police Station- Nautan, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. The Collector, West Chamaparan.
3. The Sub Divisional Officer, Sadar Bettiah.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Respondents : Mr. Uday Shankar Sharan Singh, GP-1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 13-08-2018

The present writ petition has been filed for grant of
license of PDS shop to the petitioner on compassionate ground.

2. Learned counsel for the petitioner submits that
pursuant to death of her husband on 02.11.2012, she claims to have
filed an application before the District Magistrate, West Chamapran at
Bettiah for grant of license on compassionate basis but no order
thereon has been passed.

3. Learned counsel for the respondents opposes the
writ petition, inviting reference to the application of the petitioner
claimed to have been filed, but which does not contain any
acknowledgment with signature to corroborate such claim. Moreover,



the same has been addressed to the District Magistrate and not to the licensing authority.

4. A perusal of the said application of the petitioner (Annexure-5) does not disclose the acknowledgment of the same having been filed. At the top margin the words S.D.O., Bettiah appear but no signature has been made. The application itself is shown to have been addressed to the District Magistrate and not to the Sub-Divisional Officer, the latter being the licensing authority.

5. In this view of the matter, this Court is not inclined to interfere in the matter. However if the petitioner’s application is found to be on record of the respondents, the present judgment would not come in the way of disposal of such application on its own merits.

6. The writ petition stands disposed of.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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