

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15711 of 2015

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Triloki Prasad Son of Late Param Paswan, resident of village - Konch, P.S. & Prakhand -Konch, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Gaya.
2. The Sub - Divisional Officer, Tekari Sadar, Gaya.
3. The Prakhand Padadhikari - cum - Marketing Officer, Konch Prakhand, Sub - Division- Tekari, District - Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Arun Kumar Sinha, Advocate.

For the Respondents : Mr. Raghwanant, GA-XI

Mr. Prabhat Kumar, AC to GA-XI

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-08-2018

The present writ petition has been filed for the following reliefs –

“(i) For issuance of an appropriate writ/order/direction quashing or setting aside the Advertisement No. 01 of 2015 issued by the Sub-Divisional Officer, Tekari, District- Gaya whereunder and whereby the Sub-Divisional Officer-cum-Marketing Officer has appoint or select the Dealer under Prakhand, ward or Panchayat.

(ii) For issuance of a writ of Mandamus commanding and directing the respondents to appoint or select the Dealer of P.D.S. in Genral categories under Konch Prakhand.

(iii) For issuance of writ of Mandamus commanding the respondents to appoint 50% (fifty percent) the Dealer of P.D.S. under Annu Suchit Jatti or Annu Suchit Jan Jatti in Tekari Sub-Division, District- Gaya.

(iv) And/or for grant of such other relief(s) for which the petitioner would be found entitled to on the facts and in the



circumstances of the case.”

2. Learned counsel for the petitioner submits that the impugned advertisement discloses a total vacancy of 34 PDS shops for Konch Block but no shops have been shown for Open Category and as such the petitioner has been unable to apply for grant of PDS license for Konch Block.

3. A counter affidavit has been filed on behalf of the respondents in paragraph-8 whereof it is stated that there was no vacancy against the General Category and hence no vacancy has been advertised in the advertisement for un-reserved quota for Konch Block

4. Having regard to the nature of the grievance of the petitioner and the stand of the respondents that there was no vacancy for un-reserved category in Konch Block has not been controverted and no rejoinder has been filed on behalf of the petitioner.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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