

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11947 of 2015

Shiv Narayan Yadav Son of Sugandha Yadav, Resident of Village - Ahirauli,
Panchayat Ahirauli, P.S. + Block - Ahirauli, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal secretary, Food & Consumer Protection, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Food and Consumer Protection Department Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The Sub - Divisional Officer, Buxar.
6. The Sub - Divisional Officer, Dumraon, Buxar.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
Mr. Varun Kumar, Advocate
For the State : Mr. Kameshwar Kumar, GP-17
Mr. Arbind Kumar, AC to GP-17

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date: 29-10-2018

The present writ petition has been filed for the following reliefs :-

“ I) A writ in the nature of certiorari or any other appropriate writ/order or direction for quashing notice dated 24.06.2015 issued under the signature of District Magistrate, Buxar (respondent no.4), whereby and whereunder applications have



been invited for allotment of 167 Public Distribution System shop in the district of Buxar.

II) A writ in the nature of mandamus or any other appropriate writ/order or direction directing the respondents to not allot any further P.D.S. shop to any new person in the district of Buxar or give fixed commission to P.D.S. dealers.

III) Any other appropriate writ/order or direction which your lordships may deem fit and proper.”

2. Learned counsel for the petitioner at the outset itself invites reference to the judgment dated 14.12.2016 passed by a Division Bench of this Court in C.W.J.C. No. 4453 of 2016 (Hanuman Prasad Vs. The Union of India and others) being a writ petition in public interest seeking directions to implement the Targeted Public Distribution System (Control) Order, 2015. It has been directed by the Division Bench as follows.

“ In view of the fact that the State has framed a Control Order as published on 10th of March, 2016, the licenses for implementing the Public Distribution System shall be issued in terms of the said Control Order and in accordance with law.”

3. Learned counsel for the State agrees that the matter is covered by the aforesaid decision of the Division Bench.

4. The present writ petition is accordingly disposed of



in the light of the judgment dated 14.12.2016 passed in C.W.J.C.
No.4453 of 2016 (Hanuman Prasad Vs. The Union of India and
others).

(Vikash Jain, J)

N.H/- B.T.

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

