

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18250 of 2015

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Sunil Kumar Son of Late Devendra Prasad Resident of Village - Chiksaura
Bazar, P.S. - Chiksaura (Hilsa), District - Nalanda.

.... Petitioner

Versus

1. The Principal Secretary, Food and Civil Supply, Govt. of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Deputy Collector (Law), Nalanda.
4. The District Supply Officer, Nalanda at Biharsharif.
5. The Sub-divisional Officer-cum- Licensing Authority, Hilsa, Nalanda.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Respondents : Mr. Sanjay Mandal, AC to SC6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-03-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

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

*“(i) That by way of this writ application petitioner seeks
indulgence from this Hon’ble court for issuance of
appropriate writ/order/direction in the nature of
certiorari commanding the respondents to quash the
letter no. 384 dated 19.5.15 issued under the signature
of Sub-divisional Officer, Hilsa, District Nalanda, whereby
the application filed by the petitioner for granting P.D.S.
License on compassionate ground, has been rejected in
view of provision 2.5 of the Public Distribution Control*



Order 2001 which provides that application should be made within 2 years from the death of original Licensee.

(ii) Further for issuance of writ/order/direction upon the respondents to grant P.D.S. License to the petitioner on compassionate ground.

(iii) Further for issuance of any appropriate writ/order/direction to which the petitioner is found to be entitled to in the facts and circumstances of the case.”

3. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner is permitted to file appropriate representation before the Sub-Divisional Officer, Hilsa, Nalanda in connection with his application for compassionate appointment filed on 09.12.2014 (Annexure-4) for redressal of his grievances raised in the present writ petition, in which event, the present writ petition need not be pressed on merits.

4. Learned counsel for the respondents appears and has been heard. A counter affidavit has been filed on their behalf.

5. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of granting liberty to the petitioner to file a fresh representation before the Sub-Divisional Officer, Hilsa, Nalanda (respondent no. 5) for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of expeditiously and preferably within a further period of



eight weeks thereafter in accordance with law.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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