

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5055 of 2018

=====

Pankaj Kumar, S/o Late Binod Kumar @ Binod Prasad, Resident of Akharaghat Road, Near Krishna Cinema, P.S.- Town, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food Commerce & Civil Supplies, Bihar Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub Divisional Officer, East, Muzaffarpur.
4. The Additional District Supply Officer, Muzaffarpur.
5. The Supply Officer, Urban Area, Muzaffarpur.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Pradhan Murli Manohar Prasad, Advocate

For the Respondents: Mr. Arvind Ujjwal- SC4

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-03-2018

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

“(i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of Mandamus commanding and directing upon the respondents to issue fair price shop license to the petitioner on compassionate ground on account of death of his father before attaining the age of 58 years, in terms of clause 10 of the Bihar Targeted P.D.S. (Control) Order 2016.

(ii) To direct the respondents to issue license on aforesaid ground taking into the consideration the petitioner is a dependent upon his father and other family members have forsaken their claim in favour of him.

(iii) To any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.”



2. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner’s representation (Annexure-7) filed before the Sub-Divisional Officer, East Muzaffarpur, (Respondent No. 3) is directed to be disposed of, in which event, and the present writ petition need not be pressed on merits.

3. Learned counsel for the respondents appears and has been heard.

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of with a direction to the Sub-Divisional Officer, East Muzaffarpur, (Respondent No. 3) to consider and dispose of the petitioner’s representation (Annexure-7), if the same is still pending before him, after grant of opportunity of hearing to the petitioners in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.

B.T/Ibrar

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	04.04.2018
Transmission Date	N.A.

