

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12957 of 2018

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Atturesh Kumar Jha, Son of Late Udit Narayan Jhan, R/o Village + P.O.- Aurai,
District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Affairs, 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, Aurai Block, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Pradhan Murli Manohar Pd
Mr. Raju Kumar Goswami, Advocates.

For the Respondents : Mr. S. RAZA Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-07-2018

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

“(i) To issue an appropriate order/s, directions/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.

(ii) To direct the respondents to consider the case of the petitioner regarding issuance of fair price shop license on compassionate ground to the petitioner in terms of Clause-10, Bihar Targeted Public Distribution System (Control Order, 2016.

(iii) To any other relief/s to which the petitioner is



entitled in the facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that despite having filed an application on 09.12.2017 for grant of PDS license before the District Magistrate, Muzaffarpur (Annexure-6), the same has not been considered.

3. Learned counsel for the respondents appears and points out that the petitioner’s father died on far back as on 22.06.1996 and the application has been filed more than two decades later.

4. Having regard to the delay and laches on the part of the petitioner, this Court is of the view that the petitioner has not acted with due diligence in filing his application for grant of PDS license. This Court is therefore not inclined to interfere in the matter.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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