

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.11068 of 2018**

=====

Anil Sahu, S/o Sri Ratan Sahu, Resident of Village Tilleshwar, P.O.- Tilleshwar,  
P.S.- Kusheshwar Asthan, District - Darbhanga.

.... .... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Sub - Divisional Officer cum Licensing Officer, Biraul.
4. The Circle Officer, Kusheshwar Asthan, East Darbhanga.
5. The Assistant District Supply Officer, Biraul. ... Respondent (1st Set)
6. Ramakant Raman, S/o Ram Jatan Ray, Resident of village Gopalpur Orthua,  
P.O.- Tilleshwar, P.S.- Kusheshwar Asthan, District- Darbhanga.

.... .... Respondents

=====

**Appearance :**

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate

For the Respondents : Mr. Upendra Pratap Singh, AC to SC4

=====

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 05-07-2018**

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

2. The present writ petition has been filed for a direction  
to the respondent authorities to cancel PDS licence granted to the  
respondent no. 6.

3. It is submitted on behalf of the petitioner that PDS  
licence has arbitrarily been granted in favour of the respondent no. 6,  
who was ineligible for the same and who had obtained the licence  
fraudulently as he belonged to Backward Class-II category. It is  
submitted that the petitioner is a rightful claimant of the PDS licence as



he belongs to Extremely Backward Class (BC-I) category. A representation for the purpose has already been filed before the District Magistrate, Darbhanga on 20.09.2017 but the same has not yet been considered.

4. Having regard to the nature of the grievance of the petitioner, it is not necessary to require filing of the counter affidavit on behalf of the State nor issuance of the notice to private respondent no. 6.

5. Having regard to the nature of the grievance of the petitioner, this Court is of the view that ends of justice will be met if the District Magistrate, Darbhanga (respondent no. 2) is directed to consider and dispose of the petitioner’s representation (Annexure-8), if still pending, after grant of opportunity of hearing to the petitioner as well as respondent no. 6 in accordance with law.

**(Vikash Jain, J)**

B.T/Chandran

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
| Uploading Date    | 07.07.2018 |
| Transmission Date | N.A.       |

