

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1496 of 2019

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Priyanka Jaiswal(Female), aged about 45 years, wife of Pramod Chaudhary
Resident of Vijay Nagar Khataha, ward No. 9, P.S- Gogri, District- Khagaria-
851203

... .. Petitioner/s

Versus

1. The State of Bihar the Principal Secretary Food and Civil Supply Department
2. The District Magistrate, Khagaria.
3. The Additional Collector, Khagaria.
4. The Sub- divisional Officer-cum- District Supply Officer, Khagaria.
5. The Zila Cooperative Officer, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur, Adv. Mr. Subodh Kumar, Adv. Priam Kumari, Adv.
For the Respondent/s	:	Mr. Alok Ranjan, AC to Mr.S.Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-01-2019 Petitioner in the present case is seeking quashing of the Resolution dated 18.12.2018 taken by the Selection Committee (District Public Distribution System Dealer Selection Committee) whereby the candidature of the petitioner for license of Public Distribution System Dealer of Vijay Nagar Khataha has been rejected on the ground that in the affidavit provided by the petitioner the date is not mentioned in one of the columns.

Learned counsel for the petitioner submits that a bare perusal of the affidavit available at Page Nos. 24 and 25 of the writ application would show that the said affidavit has been



sworn before the Notary Public who has given the Oath Number on the affidavit and the date on which the affidavit has been sworn is also provided in the verification portion of the affidavit. It is also apparent that with the signature of the notary also date is clearly written, still the said affidavit has been rejected only because at the top of the affidavit at one place the date has not been filled up. Learned counsel submits that the manner in which the affidavit of the petitioner has been rejected smacks foul play inaction. Some serious allegations have been also leveled in the writ application stating that because the petitioner was not obliging the respondent authorities, her candidature has been rejected.

Learned counsel for the State is present.

In the nature of submissions, this Court is of the prima-facie opinion that rejection of the affidavits stating that the date was not filled up at the top in one of the columns does not inspire confidence. Still, the Court finds that the petitioner has submitted her representation before the Collector, Khagaria and the same is pending consideration, this Court directs the Collector, Khagaria to look into the grievance of the petitioner and take a decision thereon within one month from the date of receipt/production of a copy of the order keeping in mind the



aforesaid observations unless they prove contrary from the records.

In case the grievance of the petitioner is found genuine, the Collector, Khagaria shall pass consequential order also.

It is also made clear that till disposal of the representation of the petitioner, as contained in Annexure '5' by a reasoned and communication thereof to the petitioner the license for the aforesaid Public Distribution Shop shall not be issued to any other person.

The writ application is allowed to the extent indicated hereinabove.

(Rajeev Ranjan Prasad, J)

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