

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1571 of 2019

Radheshyam Singh, aged about 43 years, Male, S/O Laxman Prasad Singh,
Resident of village-Deorah Kala Khurd, Police Station-Kudra, District-Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar Through the Principal secretary Of Food and Consumer Protection Department ,Govt. of Bihar,Patna
2. The District Magistrate,Kaimur(Bhabhua)
3. The District Supply Officer, Mohania,District-Kaimur
4. The Subdivisional Officer Mohnaia,District-Kaimur
5. The Block Supply Officer,Kudra, District-Kaimur
6. Sunil Kumar Gupta, aged about 19 years, Male, S/O Manik Chand Sah, resident Of Village-Lalapur,panchayat Lalapur,P.S.-Kudra,District-Kaimur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Adv.

For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

In paragraph 8 of the writ application, a statement has been made by the petitioner that he has given a representation to the District Magistrate, Kaimur, Bhabhua in which he has explained the whole issue, but till date nothing has been done on the representation of the petitioner. The petitioner has taken a number of plea in the writ application including that on 03.07.2018 a final list has been published by the Sub-Divisional Officer, Mohania in which the petitioner has been shown at serial no.8 and the respondent no.6 at serial no.11. It is the case



of the petitioner that the respondent no.6 is of Gram Panchayat Raj Lalapur.

Since the petitioner has already raised all such objections in his representation to the District Magistrate, Kaimur, Bhabhua, this Court does not think it just and proper to take up those issues for consideration at this stage. The District Magistrate, Kaimur, Bhabhua is directed to look into the representation dated 21.12.2018, as contained in Annexure-5 to the writ application, and take an appropriate decision thereon after examining all the issues raised therein. In case, it is found that the petitioner has been prima-facie able to demonstrate that there is any violation of the provisions of the Control Order of 2016, the Advertisement and/or any other requirements of law and that requires a decision which is likely to affect respondent no.6, the District Magistrate shall hear him also and shall pass an appropriate order within a period of two months from today.

(Rajeev Ranjan Prasad, J)

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