

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4161 of 2019

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Kumari Sadhna Bharti W/o Gyandeo Kumar, Village and P.O. and P.S.-
Alauli, Distt.- Khagaria-848203.

... .. Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Khagaria.
3. Additional Collector, Khagaria.
4. The Sub Divisional Officer-cum-District Supply Officer, Khagaria.
5. The Zila Co-operative Officer, Khagaria.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur, Advocate Ms.Y. Madhavi, Advocate Mr.Subhod Kunwar, Advocate
For the Respondent/s	:	Mr.Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2 11-07-2019 From Annexure ‘4’ to the writ application it appears
- that the name of the petitioner was standing at Serial No. 1 in the list of candidates who had applied for grant of P.D.S. shop license in Alauli Block. A complaint was submitted against the petitioner stating that she owns a flour mill and a Water Purifier Plant is also established on her land. On receipt of this objection the selection committee decided to cancel the entire list and to go for a fresh advertisement. From Annexure ‘4’ at least it is not clear that any consideration was given to the said complaint against the petitioner. No enquiry seems to have been made on the said complaint and as it appears only on receipt of the



complaint the decision was taken to cancel the entire list.

Learned counsel for the petitioner submits that the manner in which the list of the candidates has been cancelled, smacks of arbitrariness in the decision making process. It is submitted that if a complaint was received against the petitioner, at least some sort of enquiry was required to be made and if it has not been done the action of the selection committee in cancelling the list cannot be upheld and is liable to be interfered with.

Learned counsel for the State is present.

In the given facts and circumstances of the case instead of keeping the writ application pending before this Court it is deemed just and expedient to grant liberty to the petitioner to bring this matter to the notice of the District Magistrate, Khagaria (Respondent No. 2) withing a period of 30 days from today. If such a representation is filed along with all materials, the same will be considered by Respondent No. 2 within a period of 60 days from the date of receipt of the said representation and an appropriate decision thereon shall be taken which will be communicated to the petitioner within next 15 days.

Learned counsel for the petitioner and the State are



not aware whether a fresh advertisement has taken place pursuant to the decision as contained in Annexure '4'. If fresh advertisement has been published, the further action required to be taken in that regard will also be considered by Respondent No. 2 taking note of the present case and the direction of this Court to dispose of the representation.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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