

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.564 of 2019

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Md. Rahmat Ali, Son of Abdus Samad, resident of Village Jiyanganj, P.S.-
Kasba, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Purnea.
3. The Sub-Divisional Officer, Sadar Purnea.
4. The District Supply Officer, Purnea.
5. The Block Supply Officer, Kasba Block, District- Purnea.
6. Md. Shakir Raza, Son of Md. Jamiluddin, resident of Village- Jiyanganj,
P.S.- Kasba, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner in the present case is seeking to challenge
the license of the PDS Shop issued to the respondent no.6 on
various grounds. It appears to this Court that against the
selection of respondent no.6, petitioner has directly moved this
Court.

Learned counsel for the petitioner submits that the
petitioner had submitted a representation before the Collector
raising his grievance, but the same remained unconsidered.

Learned counsel for the State submits that petitioner
has a remedy of appeal under Section 32 of Bihar Targeted



P.D.S. (Control) Order, 2016 (hereinafter referred to as the “Control Order, 2016”) before the concerned District Magistrate and if such an appeal is preferred, same will be considered in accordance with law. It seems that the petitioner has not avail that remedy.

Having heard learned counsel for the petitioner and learned counsel for the State, this writ application is being disposed of with liberty to the petitioner to prefer an appeal before the District Magistrate, Purnea within a period of 30 days from today with all supporting materials, and, if such an appeal is preferred within a period of 30 days from today, the same shall be considered by the District Magistrate, Purnea on it's own merit and after hearing all concerned a reasoned order shall be passed thereon.

In case, a question of limitation arises for consideration the same will be considered keeping in mind the petitioner was pursuing his remedy before this court.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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