

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1908 of 2019

1. Sarjan Kumar aged about 36 years, Male, Son of late Nath Bihari Yadav Resident of Village and Post- Rohiyar, P.S. Mansi, Distt. Khagaria.
2. Raghunandan Kumar Singh aged about 44 years, Male, Son of late Baldeo Prasad Singh Resident of Village- Nirpur, P.S.- Chautham, Distt. Khagaria.
3. Dinesh Kumar Singh aged about 47 years, Male, Son of Sh. Narendra Prasad Singh Resident of Village-Lagama, P.S.- Chautham, Distt. Khagaria.
4. Nisha Kumari aged about 40 years, Female, Wife of Sh. Uttam Kumar Resident of Village- Hardiya,, P.S.- Chautham, Distt. Khagaria.
5. Awadhesh Kumar Panjekar aged about 34 years, Male, Son of Bisheshwar Panjekar Resident of Village- Bangalia, P.S. Rohiyar, Distt. Khagaria.
6. Rampravesh Yadav aged about 44 years, Male, Son of late Vindeshwari Prasad Resident of Village- Amani, P.S. Mansi, Distt. Khagaria.
7. Raushan Kumar aged about 31 years, Male, Son of Sh. Saini Prasad Singh Resident of Village- Kewta, P.S. Kaithi, P.S. Chautham, Distt. Khagaria.
8. Bikash Kumar aged about 23 years, Male, Son of Sh. Om Prakash Sah Resident of Village- Nirpur, P.S.- Chautham, Distt. Khagaria.
9. Rupak Kumar aged about 24 years, Male, Son of Sh. Umakant Choudhary Resident of Village- Hardiya, P.S.- Chautham, Distt. Khagaria.
10. Kalyani KUMari aged about 25 years, Female, Wife of Sh. Mukesh Kumar R/o Vill-Ghorbathna, P.S. Beldaur, Distt. Khagaria.
11. Sulochana Devi aged about 27 years, Male, Wife of Sh. Vinay Krishna Yadav Resident of Village-Kumhrarauli, P.S. Beldaur, Distt. Khagaria.
12. Manoj Kumar aged about 43 years, Male, Son of Sh. Bhola Yadav Resident of Village- Itmadi, P.S. Beldaur, Distt. Khagaria.
13. Amarjeet Kumar aged about 31 years, Male, Son of Sh. Kamali Prasad Yadav R/o Vill- Khutiya, P.S. Mansi, Distt. Khagaria.
14. Kumari Komal aged about 29 years, Female, Wife of Sh. Brajesh Kumar Vidyarthi R/o Vill- Aura, P.S. Alauli, Dist. khagaria.
15. Anjali Kumari aged about 23 years, Female, Wife of Sh. Saheb Kumar Resident of Village- Telihar, P.S. Beldaur, Distt. Khagaria.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Commissioner, Munger Division, Munger Bihar
3. The District Magistrate, Khagaria Bihar
4. The Deputy Development Commissioner, Khagaria
5. The District Supply Officer, Khagaria
6. The Sub Divisional Officer, Khagaria/Gogri/ Distt. Khagaria.
7. Block Development Officer, Chautham/ Beldaur/Alouli, District- Khagaria.
8. The Block Supply-Cum-Marketing Officer, Chautham/Beldaur/ Alouli, District- Khagaria.
9. Minu Kumari aged about 26 years, Female, Wife of Pappu Kumar Ram Resident of village- Kurban, P.S. Beldaur, Distt. Khagaria.
10. Archana Kumari aged about 30 years, Female, Wife of Mukesh Kumar Resident of Village- Mali, Police Station- Beldaur, Distt. Khagaria.
11. Priyanka Devi aged about 33 years, Female, Wife of Sh. Raghunandan Sah R/o Vill Fulwaria, P.S. Beldaur, Distt. khagaria.



12. Nutan Devi aged about 32 years Female, Wife of Sh. Niranjan Kumar Sinha Resident of Village- Manichak Ukharauda, P.S. Alauli, Distt. Khagaria.
13. Shashi Kumar aged about 27 years Male, Son of Sh. Vishnu Deo Ram Resident of Village- Alauli, P.S. Alauli, Distt. Khagaria.
14. Santosh Kumar aged about 35 years Male, Son of Sh. Shyam Sundar Sah Resident of Village- Pipra Bazar, P.S. chautham, Distt. Khagaria.
15. Haidar Imam aged about 34 years Male, Son of Asad Imam Resident of Village- Marar South, P.S. and Distt. Khagaria.
16. Arvind Yadav aged about 48 years Male, Son of late Narayan Yadav Resident of Village- Jhikatia, P.S. and Distt. Khagaria.
17. Rina Kumari aged about 33 years Female, Wife of Sh. Uday Kumar Resident of Village- Ishwari Tola, P.S. Mahesh Kauth, Distt. Khagaria.
18. Lalita Devi aged about 33 years, Female, Wife of Sh. Manoj Kumar resident of Village- Samaspur, P.S. and District- Khagaria.
19. Madhulata Kumari aged about 23 years Female, Wife of Sh. Jainendra Prasad resident of Village- Samaspur, P.S. and District- Khagaria.
20. Nayadu Kumari aged about 27 years Female, Wife of Sh. Nand Kishore Sharma resident of Village- Kharauwa, P.S. and District- Khagaria.
21. Rani Kumari aged about 25 years Female, Wife of Sushant Kumar Sharma Resident of Village- Dewatha, P.S.- Pasraha, Dist. Khagaria.
22. Rajesh Kumar Das aged about 20 years Male, Son of Sh. Naresh Das Resident of Village- Fatehpur, P.S. Gogari, Distt. Khagaria.
23. Rituraj Ranjan aged about 36 years Male, Son of Sh. Mritunjay Prasad Resident of Village-Fulwadia, P.S. Gogari, Distt. Khagaria.
24. Tarana Khatoon aged about 23 years Female, Wife of Md. Musalim Alam Resident of Village- Bharatkhand, P.s. Pasraha, Distt. Khagaria.
25. Lalita Kumari aged about 32 years Female, Wife of Sh. Sudhanshu Kumar Resident of Village- Yaduvansh Nagar, P.S. Parwata, Distt. Khagaria.
26. Neha Kumari aged about 22 years Female, Wife of Sh. Gandhi Kumar Resident of Village- Sumethi Tola, P.S. Khajrautha, Distt. Khagaria.
27. Saurav Kumar aged about 21 years Male, Son of Mr. Niranjan Kumar Yadav resident of Village- Rohai, P.S. and Distt. Khagaria.
28. Renu Devi aged about 44 years Female, Wife of Manoj Kumar Gupta Resident of Village- Borkath, P.S. Pasraha, Distt. Khagaria.
29. Neha Kumari aged about 26 years Female, Wife of Sh. Sanjay Kumar Resident of Village- Khiradih, P.S. Parbatta, Distt. Khagaria.
30. Pratima Kumari aged about 28 years Female, Wife of Sh. Pawan Kumar Resident of Village- Badi Kothiya, P.S. Mufassil, Distt. Khagaria.
31. Badal Kumar aged about 25 years Male, Son of Sh. Raj Kumar Raj Resident of Village- Badi Kothiya, P.S. Mufassil, Distt. Khagaria.
32. Bharti Kumari aged about 25 years Female, Wife of Sh. Dilip Kumar Resident of Village- Jalkaura, P.S. and District- Khagaria.
33. Sulochana Kumari aged about 35 years Female, Wife of Sh. Praveen Kumar Resident of Village - Rani, P.S. and District- Khagaria.
34. Smriti Kumari aged about 27 years Female, Wife of Sh. Jitendra Kumar Resident of Village- Saidpur, P.S. - Mansi, Distt. Khagaria.
35. Babita Kumari aged about 24 years Female, Wife of late Amar Kumar Resident of Village- Saidpur, P.S. Mansi, Distt. Khagaria.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate



For the Respondent/s : Mr.Upendra Pratap Singh, AC to SC-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-02-2019 Learned counsel for the petitioners has demonstrated from Annexure-3 & 4 to the writ application as to how taking a plea that a complaint has been received against one Raj Kumar, the application of all other applicants have been cancelled and then vide Annexure-4 the same, candidate, who has been declared rejected under one category, has been shown selected.

Learned counsel for the petitioners submits that one candidate could not have made application under two different categories for license of PDS Shop. It is submitted that the entire grant of license in the Khagaria District in respect of the respondents suffer from various illegalities and infirmities.

It is further submitted that when the petitioners approached the Divisional Commissioner who is the Revisional Authority against the order of the Collector, the complaint of the petitioners were not entertained and they were directed to produce the order of the Selection Committee. Petitioners are thereafter running from pillar to post and are unable to ventilate their grievance before the Divisional Commissioner.

In the given facts and circumstances, the District Magistrate, Khagaria, who is the Chairman of the District Level



Selection Committee (Respondent No. 3), is directed to supply a complete copy of the minutes of the Selection Committee to the petitioners within a period of 15 days from the date of receipt/production of a copy of this order.

The petitioners shall be, thereafter, at liberty to prefer a revision before the Divisional Commissioner, Khagaria within a period of 30 days. The documents enclosed with the writ application are allowed to be brought to the notice of the Divisional Commissioner, Khagaria who will hear all concern including the persons likely to be effected by his order and shall pass a reasoned order dealing with each and every aspect of the matter. Such reasoned order shall be passed within a period of 60 days from the date of filing of the Revision Application and a copy thereof shall also be communicated to the petitioners free of cost.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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