

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2577 of 2019

Reeta Kumari, aged 32 years, Female, Wife of Binay Prakash 'Rajesh',
Resident of Village- Bajitpur Tola, Maniarpur, P.S. Madhuwan, District- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Food and Consumer Protection Department, Govt.
of Bihar, Patna.
3. District Magistrate-Cum- Collector, East Champaran at Motihari.
4. District Supply Officer, East Champaran at Motihari.
5. Sub- Divisional Magistrate-Cum- S.D.O. Pakri Deyal, District- East
Champaran.
6. Sushma Kumari, wife of Akhilesh Prasad, Resident of Village- Bahuwara
Bhan, P.S. Madhuwan, District East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-05-2019 Petitioner in the present case is aggrieved by the grant
of licence of Public Distribution System Shop in favour of
respondent no.6. It is the case of the petitioner that in the merit list
her name was standing at Serial No.1 with a higher qualification
and she also possessed computer knowledge. It is submitted that in
the final list the respondents have arbitrarily allotted the licence of
Ward No.6 in favour of respondent no.6 who is resident of Ward
No.10 and her name stands in the general category list.

Learned counsel for the State submits that in terms of
Rule 32 of the Bihar Targeted Public Distribution System
(Control) Order, 2016 the petitioner has a remedy available by



filing an appropriate appeal against the decision of the licencing authority.

Having heard learned counsel for the parties, this Court grants liberty to the petitioner to avail her remedy before an appropriate authority in terms of the provisions of the Bihar Targeted Public Distribution System (Control) Order, 2016 by filing an appropriate application within a period of 30 days from today. If such an application is filed, the same will be considered by the District Magistrate-Cum-Collector, East Champaran at Motihari (respondent no.3) and will be disposed of within a period of 60 days from the date of filing of the application by the petitioner. In case, any question of limitation arises for consideration, the same will be considered keeping in mind that the petitioner was pursuing her remedy before this Court.

It goes without saying that before passing the final order, all concerned shall be heard.

The writ application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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