

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1507 of 2019

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Sunil Kumar Ram, aged about 29 years, Male, Son of Bilo Ram,
Resident of Village- Andipatti, P.S.- Kumarkhand, District- Madhepura

. ... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The District Supply Officer, Madhepura.
4. The District Co-operative Officer, Madhepura.
5. The Sub Divisional Officer, Madhepura.
6. The Sub Divisional Officer, Udakishunganj, District- Madhepura.
7. The Marketing Officer, Block Kumarkhand, District- Madhepura.

... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Adv.
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-02-2019 In the nature of dispute with respect to the place of residence of the petitioner, no positive direction may be issued by this Court in the present writ application. Regarding the petitioner the stand of the respondents is that he is a resident of Bhargama Block, whereas, the petitioner's claim that he belongs to Kumarkhand Block has not been accepted by the competent authority.

The case of the petitioner is that he is living in his 'Nanihal' since his childhood and is in possession of all the documentary evidence with regard to his place of residence. It is



also stated in Paragraph No. '13' of the writ application that in this regard he has filed a representation before the District Magistrate, Madhepura and the District Supply Officer, Madhepura together with all proofs in support of his place of residence but the respondent authorities had rejected the claim of the petitioner without considering the documents which were placed before them.

It appears from Annexure '4' that the petitioner has represented before the Sub-Divisional Officer, Madhepura. This Court, therefore, directs the Sub-Divisional Officer, Madhepura to conduct an inquiry with regard to the place of residence of the petitioner and based on that inquiry an appropriate decision be taken as to the eligibility of the petitioner to be considered for the Block in question.

The direction to consider the case of the petitioner after holding inquiry in case he is found to be resident of that Block is being issued on the statement of the learned counsel for the petitioner that the vacancy still exists. Such consideration will be given only when the vacancy exists but it should not be taken as an observation of this Court as to the case of the petitioner as regards his entitlement on merit. Such decision of the Authority will be independent and in accordance with law.



The application stands disposed of, accordingly.

R.R.Ojha/-

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(Rajeev Ranjan Prasad, J)

