

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3021 of 2019

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Renu Sinha, Wife of Sri Dileep Kumar Sinha, Resident of Village- Devipur,
Post- Nandlalpur, P.S.- Kahalgaun, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Chairman-cum-District Magistrate, District Selection Committee, Bhagalpur, District- Bhagalpur.
3. The Sub-Divisional Officer, Kahalgaun, District- Bhagalpur.
4. The Block Supply Offices, Kahalgaun, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the Respondent/s : Mr. AC to SC -4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-06-2019 The petitioner in the present case is seeking a writ of Certiorari to quash and cancel the Letter No. 79 dated 14.07.2018 issued by the Block Supply Officer, Kahagaun as well as Letter No. 519 dated 13.08.2018 issued by the Sub-Divisional Officer addressed to the District Supply Officer, Bhagalpur as contained in Annexure '1' series whereby the claim of the petitioner for issuance of Public Distribution Shop License on compassionate ground has been held as not acceptable and recommendation has been made for rejection of the same.

On perusal of the Annexure '1' series it appears that this petitioner had submitted an application for grant of license on compassionate ground on the death of her father-in-law who was a 'PDS' Dealer. The application was examined but it was found that the



husband of the petitioner is an employee in the Education Department, Government of Bihar at Munger, therefore, in terms of paragraph 10 of the Bihar Targeted Public Distribution System (Control Order), 2016 (hereinafter referred to as the 'Control Order 2016'), she would not be entitled for the benefit of getting license on compassionate ground.

In the writ application the petitioner has not disputed this fact that her husband is a government employee serving in the Education Department in the Government of Bihar at Munger. It is also not in dispute that as per Rule 10 of the Control Order, 2016, a license granted on compassionate ground is treated as a new license but it will not be issued if any member of the family of the deceased licensee is a government servant or holds the post of profit in the Government, such a family shall not get an appointment on compassionate ground.

Learned counsel for the State has rightly argued that this application is misconceived and is devoid of merit.

This writ application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

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