

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3265 of 2019

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Ravindra Singh, aged about 66 years, Male, Son of Late Dineshwar Singh
Resident of Village- Gauridih Post-Raunia, Police Station-Barari, District-
Katihar.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer
Protection Department, Govt. of Bihar, Patna
2. The Collector, Katihar Bihar
3. The Sub-Divisional Officer, Katihar Bihar
4. The District Supply Officer, Katihar Bihar
5. The Block Development Officer, Barari, District Katihar
6. The Block Supply Officer, Barari, District Katihar
7. Santosh Kumar Das aged about 23 years, Male, Son of Mahendra Das
Resident of Raunia, Police Station-Korha, District-Katihar
8. Anupriya, aged about 20 years, Female, Wife of Sikandar Rai Resident of
Nishara, Police Station-Korha, District-Katihar

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Nasim Yahya
For the Respondent/s : Mr.Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-06-2019 Petitioner, who is himself a P.D.S. dealer, has moved

this court questioning the grant of license to private respondent

no. 8 on the ground that there cannot be more than 5 P.D.S.

shops in Raunia Panchayat. He is afraid that his

consumers/beneficiaries may be reduced because of such

allotment.

Referring to the provisions of Bihar Targeted P.D.S.

(Control) Order, 2016 (hereinafter referred to as the ‘Control

Order, 2016’), learned counsel submits that according to the



Control Order, 2016 there should be one P.D.S. shop against the population of 1900. The total population of the Raunia Panchayat is 12421, therefore in the ratio of population of the Raunia Panchayat there should be hardly six P.D.S. shops.

Learned counsel for the State submits that the grant of two new P.D.S. shops is not at all in contravention of the provisions of the Control Order, 2016 as the Control Order 2016 only provides the minimum requirement of providing at least one P.D.S. shop against the population of 1900. It is submitted that there is no bar in the Control Order, 2016 to provide more P.D.S. Shop on a lesser population if it is so required considering the hardships which are being faced by the beneficiaries in different areas. It is submitted that the larger public interest cannot be outweighed by taking care of the individual interest of the petitioner.

This court is in full agreement with the submission of the State. The petitioner in the present case has no locus standi to maintain this writ application. This court is of the considered opinion that what has been provided in the Control Order, 2016 is only the minimum requirement of one P.D.S. shop against the population of 1900, this cannot be taken as a bar against the respondent authorities in providing more number of P.D.S.



shops if it is so required in larger public interest.

No illegalities or infirmities may be found in the impugned action of the respondent authorities. The writ application being devoid of merit. It is hereby dismissed.

(Rajeev Ranjan Prasad, J)

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