

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4888 of 2019

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Rana Pratap Singh S/o-Gaya Prasad Resident of Village-Jamira, P.S.-Ara
Mufassil, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of food and consumer protection, government of Bihar.
2. The Commissioner (Patna) Commissioner.
3. The Sub Divisional Officer, Ara.
4. The Assistance District Supply Officer, Ara.
5. The Block Supply Officer, Ara.
6. The Marketing Officer Supply Department, Ara.
7. Amit Kumar Pandit S/o Krishna Pandit Resident of Village-Jamira, P.S. and District-Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-07-2019 Learned counsel for the petitioner is permitted to add

the District Magistrate, Bhojpur at Ara as party respondent no.8

in course of the day.

Apart from the fact that the writ application contains
so many typographical errors and lacks cohesion causing
difficulty for the Court in making out the meaning of the
sentences at several places, this Court could gather from the
materials available on the record that the petitioner is
challenging the selection of the private respondent no.7 for grant
of PDS shop licence on the grounds inter alia that the



respondent no.7 had introduced a certificate showing him handicapped much after expiry of period for submission of the application.

Learned counsel for the State is correct in saying that that those are the matters which may be examined by the District Magistrate, Bhojpur at Ara who is the statutory authority in terms of Clause 32 of the Bihar Targeted PDS (Control) Order, 2016 (hereinafter referred to as the 'Control Order of 2016') to hear an application against the selection.

In the given facts and circumstances, this Court is not inclined to exercise its extraordinary writ jurisdiction.

Liberty is granted to the petitioner to seek his remedy in accordance with the provisions of the Control Order of 2016 by filing an appropriate application/appeal before the District Magistrate, Bhojpur (respondent no.8). If such an application/appeal is preferred within a period of 30 days from today, the same shall be considered on its own merit and a reasoned order thereon shall be passed within 90 days from the date of filing of the application/appeal and in case any question of limitation arises for consideration, the same shall be considered keeping in mind that the petitioner was pursuing his remedy before this Court.



This application stands disposed off accordingly.

arvind/-

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(Rajeev Ranjan Prasad, J)

