

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10947 of 2018

Pravin Kumar Son of Late Ravindra Nath Mandal, Resident of Village-
Maniyachak, Maheshpur Panchayat, P.S.- Mufassil Tarapur, District- Munger.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary Patna (Bihar).
2. The District Magistrate, Munger.
3. The Sub-Divisional Officer, Munger.
4. District Supply Officer, Munger.
5. Secretary Food and Supply Patna, Bihar.

... .. Respondents

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.S. Raza Ahmad- Aag5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2019 No one appears on behalf of the petitioner, even though the matter has been placed for hearing today on the mention slip filed by learned counsel for the petitioner. The Court is holding a special sitting and after mentioning the matter absence of the learned counsel is not taken in a good taste.

Learned counsel for the State is present.

Petitioner in the present case is seeking a writ of mandamus for a direction to the respondents to issue license of public distribution shop in favour of the petitioner on compassionate ground.

The facts as appearing from the records would show



that father of this petitioner was having a license of the public distribution shop, however, the said license was cancelled on the alleged ground of his indulging in black marketing. One FIR bearing Nayaramnagar P.S. Case No. 169 of 2014 dated 21.12.2014 was registered under Section 7 of the Essential Commodities Act, 1955. Although the criminal case was dropped after death of the father of the petitioner but the fact remains that the cancellation order remained in existence. This fact is stated in Paragraph 15 of the counter affidavit.

Learned counsel for the State submits that in view of the fact that the license of the father of the petitioner was lying cancelled on the date of his death and the same was not challenged by this petitioner, the question of appointment of the petitioner on compassionate ground does not arise. Moreover, he had submitted his application not in the format prescribed for the same and it did not contain even the required documents.

In the given facts and circumstances of this case, this Court finds force in the submission of the learned counsel for the State. The license of the father of the petitioner was lying in cancel condition on the date of his death and the same was never challenged, in the opinion of this Court the petitioner would not be entitled to seek license on compassionate ground.



The writ application has, thus, no merit, it is
dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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