

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5229 of 2019

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Gopal Mehta, Son of Late Baleshwar Mehta, Resident of village - Kushaha,
P.S. - Bhawanipur, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
3. The District Magistrate Purnea
4. The District Supply Officer Purnea
5. The Sub Divisional Officer Dhamdaha, District - Purnea
6. Om Jai Kumar, Son of Bhola Prasad Mehta, Resident of village - Kushaha, P.S. Bhawanipur, District - Purnea

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.
For the Respondent/s : Mr.Md. Anisul Haque, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner is aggrieved by and dissatisfied with the grant of public distribution shop licence in favour of private respondent no.6 by ignoring the candidature of the petitioner.

Mr. Pramod Mishra, learned counsel for the petitioner submits that the petitioner has in fact submitted a representation before the District Magistrate, Purnea in terms of Rule 32 of the Bihar Targeted PDS (Control) Order, 2016 (hereinafter referred to as the 'Control Order of 2016'), but the same is pending consideration for a long time.



Learned counsel for the State submits that in case the petitioner has applied for a remedy under Rule 32 of the Control Order of 2016, the District Magistrate, Purnea may be directed to look into the same and pass an appropriate order after hearing the private respondent no.6.

Having heard learned counsel for the parties and on perusal of the records, this Court is of the considered opinion that at this stage when the representation/appeal in terms of Rule 32 of the Control Order of 2016 is pending before the District Magistrate, Purnea, this Court need not go into the niceties of the contentions. The District Magistrate, Purnea is directed to look into the grievance of the petitioner, consider his representation and pass an appropriate order thereon within a period of three months from the date of receipt/production of a copy of this order. Prior to passing of any order on the representation of the petitioner, an opportunity of hearing shall also be given to the private respondent no.6.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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