

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3578 of 2019

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Sunita Devi, aged about 43 years, Female, wife of Late Kaushal Kumar Ravi
Resident of Naya Tola, Madhopur, P.S-Bakhtiyarpur, Dist-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Supply, Govt.of Bihar, Patna
2. The District Magistrate, Patna Bihar
3. The District Co-operative Officer, Patna Bihar
4. The Sub-Divisional Officer, Barh, District- Patna Bihar
5. Block Supply Officer, Bakhtiyarpur, District- Patna

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Jagannath Prasad
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner, in the present case, is challenging the
impugned order passed by the Licensing Authority by which the
request of the petitioner for grant of PDS License on
compassionate ground has been rejected.

In course of argument, learned counsel for the
petitioner submits that no qualification for grant of license under
compassionate ground is provided.

Learned counsel for the State however submits that
the grant of license on compassionate ground may be permitted



only when the dependent fulfills all the conditions which are necessary for grant of a new license because a license on compassionate ground is also a new license in terms of Rule 10 of the Bihar Targeted PDS (Control) Order, 2016 (hereinafter referred to as the “Control Order, 2016”). It is submitted that Rule 9(v) of the Control Order, 2016 specifically provides that the applicant of a fair price shop license must be matric pass and an adult.

Having heard learned counsel for the petitioner and learned counsel for the State, this court finds no reason to interfere with the impugned order. Admittedly the petitioner has not passed matriculation, hence the condition specified under Rule 9(v) is not satisfied.

The Writ Application has, thus, no merit. It is dismissed, accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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