

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3543 of 2019

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Vibha Kumari W/o Amresh Paswan. R/o Village- Kewta Piparpanti, Ward No. 12, Police Station- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Samastipur.
3. The Sub Divisional Officer, Dalsingsarai, District- Samastipur.
4. The District Supply Officer, District- Samastipur.
5. The Block Supply Officer, Dalsingsarai, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav
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 Petitioner, in the present case, is looking for a direction to follow the old roster of the year 2015 under which the public distribution shop under gram panchayat Kewta, Ward no.12 (Piparpanti) shop no.121, Block-Dalsingsarai had been placed under Scheduled Caste, Female category. The grievance of the petitioner is that now a fresh reservation roster has been prepared in the year 2017 ignoring the reservation roster of the year 2015 which according to him is not in accordance with law.

Learned counsel for the State submits that the writ application is thoroughly misconceived inasmuch as the petitioner is unable to appreciate that the Bihar Targeted PDS (Control) Order, 2016 has now come into force and the roster



prepared in the year 2017 is in accordance with the Rule 6 of the PDS Control Order, 2016. It is submitted that in the writ application the petitioner has also failed to point out any illegality in the matter of preparation of fresh reservation roster.

Having heard learned counsel for the petitioner and learned counsel representing the State, this Court is of the considered opinion that relief prayed in the writ application is wholly misconceived. The petitioner is looking for a direction to the respondents to follow the roster which was in the year 2015, but from a bare perusal of the provisions of the Control Order it would appear that the Rule 6 Specifically provides for the reservation in the vacancies of the fair price shop on the date of the commencement of the order in the given manner and following the same as per Rule 7 the reservation criteria has to be enforced at sub-divisional level and the ideal reservation roster point issued by the General Administration Department shall be applicable. In terms of Rule 9(viii) the vacancies are advertised after approval of the District Officer on the reservation roster point in accordance with the reservation roster point determined by the General Administration Department.

In the present case after coming into force of the Control Order, 2016 if the reservation roster has been prepared



in accordance with the said rules, no fault may be found with the same.

This writ application has thus no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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