

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4881 of 2019

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Krishnadev Das @ Krishnadev Tanti S/o Raghunandan Das @ Raghunandan Tanti Vill.- Balirajpur Panchayat- Bhoopati, P.s.- Babubarhi, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary, Food Supply Consumer Protection Department, Govt. of Bihar, Patna
2. The District Magistrate Madhubani
3. The District Supply Officer Madhubani
4. The Sub Divisional Officer Madhubani
5. The Block Supply Officer Babubarhi, Madhubani
6. The Panchayat Secretary Gram Panchayat Bhoopati Babubarhi, Madhubani
7. Sri Mukesh Kumar Mehta S/o Sri Suraj Narayan Mehta Resident of Village- Bhupatti, ward no.4, P.S.-Babubarhi, Distt.-Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Respondent/s : Mr.S. Raza Ahmad (AAG5)

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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 make necessary correction in the name of the village of respondent no.7 in course of the day.

Petitioner has moved this Court for quashing the merit list dated 28.09.2018 prepared by the respondent authorities for grant of fair price shop licence in Bhoopati Panchayat under Babubarhi block Madhubani. It is the grievance of the petitioner that the respondent no.7 has been selected for grant of licence even though his wife is working as an Anganwari Sevika which



according to learned counsel for the petitioner is a government post.

Learned counsel for the State has opposed the writ application and submits that very submission of learned counsel for the petitioner saying that the post of Anganwari Sevika is a government post is wholly misconceived.

It is submitted that under the Bihar Targeted PDS (Control) Order, 2016 and the guidelines of the government there is no bar for a person like the petitioner from getting selected for the grant of licence if his wife is working as an Anganwari Sevika.

Learned counsel for the State submits that the post of Anganwari Sevika is not a civil post and by no stretch of imagination it can be said to be a government post. No other ground has been taken by learned counsel for the petitioner for interfering with the selection of the respondent no.7.

Having heard learned counsel for the petitioner and the State, this Court finds that the writ application is wholly misconceived inasmuch as it is neither a condition in the guidelines or rule that a person whose wife is working as an Anganwari Sevika cannot make an application for grant of licence nor the post of Anganwari Sevika can be said to be a



civil post.

For both the reasons, the writ application is dismissed.

(Rajeev Ranjan Prasad, J)

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