

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5820 of 2019

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Bibi Rahat Ara W/o Md. Jia Makhtoor Resident of Village- Doria, Ward
No.12, P.O.- Doria Sonapur, P.S.- Simraha (Forbesganj), District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Secretary Food and Consumer
Protection Department, Old Secretariat, Patna
2. The District Magistrate, Araria, District- Araria
3. The Sub Divisional Officer, Forbesganj, District- Araria
4. The District Supply Officer, Araria, District- Araria
5. Bibi Mahapara W/o Rahan Alam Resident of Village- Doria Sonapur, Ward
No.9, P.S.- Simraha (Forbesganj), District- Araria
6. Md. Saukat Razi S/o Md. Ekramuddin Resident of Village- Purandha, Ward
No.8, Doriya Sonapur, P.S.- Simraha (Forbesganj), District- Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (SC 4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 02-12-2019

The petitioner has challenged the grant of PDS
license to private respondent no. 6 on the ground that her
exclusion is on a *non est* ground.

It appears that initially the candidature of the
petitioner was selected for grant of license. However, later
she was non-suited on the ground of her not answering
questions in the field of computer to the satisfaction of the
interviewing authority.



Learned counsel for the petitioner submits that the knowledge of computer of an applicant is not required to be tested. The certificate in that regard by any institute should suffice.

According to Section 9 of the Bihar Targeted P.D.S. (Control) Order, 2016, in the event of a candidate having computer proficiency, he/she would be given preference over the other candidates.

In the present case, there is no averment that the private respondent no. 6 is not computer educated or that the petitioner is better qualified than private respondent no. 6. There may not be any requirement of subjecting the aspirants/candidates to any regular test of computer but for the authority to grant license in the event of many persons being computer literate, this perhaps would be the only way of eliminating persons and choosing the best. This appears to have been done in the present case.

No fault could be found in the aforesaid scheme in selecting private respondent no. 6.



No case has been made out by the learned counsel for the petitioner for any interference with the decisions of the respondents in granting PDS license to private respondent no. 6.

There is no merit in this petition and the same is dismissed.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

