

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5847 of 2019

Abul Kalam Azad Son of Abdul Mobin Resident of Village- Ghaghri, P.S.-
Bounsi Basaity, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Food and Consumer Protection, Patna, Bihar.
2. The Secretary, Department of Food and Consumer Protection, Patna, Bihar.
3. The District Magistrate, Araria.
4. The District Supply Officer, Collectorate, Araria.
5. The Block Supply Officer, Raniganj.
6. Akram Alam Son of Abdul Mobin, resident of Village- Ghaghri, P.S.- Bounsi Basaity, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Soni Shrivastava, Advocate
For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-12-2019 The petitioner has challenged the grant of

PDS license to private respondent No. 6 on the ground

that the rules with regard to selection of the licencees

has been breached.

It has been submitted on behalf of the

petitioner that preference had to be given to

unemployed and educated youth but the private



respondent No. 6 had been serving as a Director of a private school.

It appears from the provisional list of candidates that both the petitioner and private respondent No. 6 are educated but private respondent No. 6 has a higher qualification of Masters in Arts. Apart from this, even if it is accepted that private respondent No. 6 had been the Director of a private school, that does not add to any disqualification to his candidature in view of the instances of the disqualifications having been enumerated in Rule 11 of the Bihar Targeted Public Distribution System (Control) Order, 2016. What is proscribed is a post of profit in the government and not any private school where a person may not be paid at all. No proof has been offered on behalf of the petitioner to demonstrate that private respondent No. 6 had been holding a regular post and had been earning profits out of his assignment.



In that view of the matter, the selection process cannot be faulted with.

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

(Ashutosh Kumar, J)

Shageer/-

U			
---	--	--	--

