

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7290 of 2019

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Mithlesh Kumar Singh Son of late Narayan Singh, Resident of Pawar, P.S.
District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Bihar.
2. The District Magistrate, Bhojpur, Ara.
3. The Sub Divisional Officer, Bhojpur Ara.
4. The Block Supply Officer Agiaon Bhojpur, Ara.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjiv Mishra, Advocate
For the Respondent/s : Mr.Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-07-2019 Petitioner in the present case is seeking for grant of license of Fair Price Shop on compassionate ground as according to him his father died on 20.08.2014 while he was running the shop by virtue of license granted to him.

Learned counsel for the State submits that now Bihar Targeted P.D.S. (Control) Order, 2016 (hereinafter referred to as the 'Control Order of 2016') has come into force with effect from 10th March, 2016 and in terms of the Hon'ble Division Bench judgment of this Court passed on 14.12.2016 in C.W.J.C. No. 4453 of 2016 (Annexure '6'), the licenses for Fair Price Shop are to be issued in terms of the said Control Order and in accordance with law. It is further submitted that in terms of the



Rule 10 of the Control Order of 2016 a license on compassionate ground is to be taken as a fresh license. Further in terms of Rule 9(v) of the Control Order of 2016 the minimum requisite qualification for grant of a Fair Price Shop license is that the applicant must be a matric pass and adult. In this case it is an admitted position that the petitioner is not a matric pass, therefore, learned counsel for the State submits that writ application is to be dismissed.

Having heard learned counsel for the parties and on perusal of the record, this Court finds substance in the submissions of learned counsel for the State. The petitioner who is not a matric pass, does not qualify for grant of Fair Price Shop license, hence the writ application is not fit to be entertained.

It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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