

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12900 of 2019

Binod Kumar, Son of Sahdev Singh, Resident of Village- Shahpur
Chintamani, P.S.- Hathouri, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, Samastipur.
3. The District Supply Officer, District- Samastipur.
4. The Sub Divisional Officer cum Licensing Authority P.S.- Rosera, District- Samastipur.
5. The Block Supply Officer, Shivajinagar Police Station- Shivaji Nagar, District- Samastipur.
6. Pramod Kumar Son of Ramlakhan Mandal Resident of Village- Katghara, P.S.- Hathouri, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Yogesh Kumar
For the Respondent/s : Mr.S. Raza Ahmad (AAG5)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-06-2019 The defects are ignored.

Petitioner, in the present case, is aggrieved by the decision of the licensing authority by which the licensing authority had granted the PDS licence in favour of respondent no.6.

Learned counsel for the petitioner submits that the petitioner has raised his grievance before the District Magistrate-cum-Collector, Samastipur (respondent no.2), but the same has not been considered so far. He has also placed on record Annexure-7, which is a representation addressed to the Commissioner, Darbhanga, in which he has made allegations of large scale irregularities committed in the matter of grant of PDS licence in



the District of Samastipur particularly under Rosera Block.

Learned counsel for the State submits that, at this stage, this Court is not required to go into the merits of the contentions because the District Magistrate is the competent authority under the Bihar Targeted PDS (Control) Order, 2016 to look into the grievance of the petitioner and take a decision thereon.

In the aforesaid view of the matter, learned counsel for the petitioner submits that he will file a fresh application/appeal, as the case may be, before the District Magistrate, Samastipur within a period of 30 days from today raising all such issues which are available to him.

This writ application is being disposed off giving liberty to the petitioner to file an appropriate application/appeal before the District Magistrate-cum-Collector, Samastipur (respondent no.2) within a period of 30 days from today. On filing of such an application/appeal, the respondent no.2 shall consider the same on its own merit and shall pass an appropriate order thereon after hearing all concerned within a period of four months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

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