

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10924 of 2019

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Sanju Rani wife of Sachchidanad Singh Resident of Village- Ratawara
Hatthu, Post Office- Bhagwatpur, Police Station- Paru, Distt- Muzaffarpur,
Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Secretary, Food and Consumer Protection Department Old Secretariat, Patna.
3. The District Magistrate, Muzaffarpur
4. The District Selection Committee Muzaffarpur under the Chairmanship of District Magistrate, Muzaffarpur.
5. The Sub-Divisional Officer, Muzaffarpur (West).
6. The Sub-Divisional Magistrate (West), Muzaffarpur.
7. Ranjit Kumar Son of Kamleshwar Singh Resident of Village-Ramchandra Pur, Police Station- Deoaria, Distt. Muzaffarpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar, Advocate
For the Respondent/s : Mr.AC to SC4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is aggrieved by the decision of the
District Level Selection Committee, Muzaffarpur taken on
09.03.2019 by which the name of respondent no. 7 has been
recommended for grant of license of Public Distribution
System Shop.

Learned counsel for the petitioner assailed the



recommendation of the District Level Selection Committee on the grounds inter alia that the authorities had initially examined the documents submitted by the applicant and prepared a list in which the name of the petitioner had been found suitable for grant of license and the private respondent no. 7 was not found suitable but later on the decision was taken to select private respondent no. 7 without looking to the fact that this petitioner is elder in age and in terms of the guidelines she should have been selected. It is also submitted that respondent no. 7 had not submitted the document of the godown as per requirement.

Learned counsel for the State submits that these are the matter of facts which may be looked into and inquired only by the District Magistrate who is also an authority under the Bihar Targeted P.D.S. (Control) Order, 2016 to hear an appeal against the order of the District Level Selection Committee.

In the given facts and circumstances, learned counsel for the petitioner submits that petitioner may be permitted to file an appeal before the District Magistrate, Muzaffarpur (respondent no. 3) within a period of 30 days from today to ventilate her grievance.

Permission is granted.

If the petitioner prefers an appeal within a period of



30 days from today before District Magistrate, Muzaffarpur (respondent no. 3), the appeal shall be considered on its own merit and the District Magistrate, Muzaffarpur (respondent no. 3) shall consider the same after hearing all concerned and will pass a reasoned order thereon within a period of 90 days from the date filing of the appeal.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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