

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2676 of 2019

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Sabita Devi W/o Birbal Yadav Vill.-Kuwotol, P.s.-Marauna, Distt.-Supaul
... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary Department of Food and Consumer Protection,
Govt. of Bihar, Patna
3. The Collector Supaul
4. The S.D.O. Nirmali, Supaul
5. The District Supply Officer Supaul
6. Alka Kumari W/o Ram Kumar Yadav Vill.-Khorma, P.s.-Marauna, Distt.-
Supaul

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate
For the Respondent/s : Mr. U. P. Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-06-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present is aggrieved by the order contained in Memo No. 922-2 dated 02.08.2018 issued under the signature of the Sub-Divisional Officer, Nirmali as contained in Annexure '11' to the writ application by which the list of the candidates who were selected by the District Level Selection Committee has been forwarded to the District Officer, Supaul. In the said list the respondent no. '6' has been shown one of the selected candidates from Hadri Panchayat.

It is the case of the petitioner that the petitioner being the Treasurer of one Komal Jivika Self Help Group had submitted the application for grant of license of the Public Distribution Shop and



according to the advertisement as contained in Annexure '6' to the writ application, the Self Help Group has to be given preference. It is submitted that instead of considering the candidature of the Self Help Group the license has been issued in favour of respondent no. '6'.

On the other hand, learned counsel representing the State submits that from the narration of facts in the writ application it would appear that the petitioner has made a statement that it is the petitioner who had applied before the licensing authority. She claimed herself to be a candidate belonging to Other Backward Class whereas as per roaster the said location of shop has been marked for the General category female.

It is further submitted that this writ application has also been filed by the petitioner in her individual capacity and therefore, it is not open for the petitioner to make a grievance giving an impression that she is representing the Self Help Group or that the Self Help Group has any grievance against the grant of license in favour of the respondent no. '6'.

Having heard learned counsel for the parties and on perusal of the records, this Court finds substance in the submission of learned counsel representing the State. The narration of facts in the writ application clearly demonstrate that the petitioner was claiming her selection and for that reason she has mentioned the fact that she belongs to OBC category and her educational qualification was, according to her, better than the private respondent. It is her own



admission that the shop was placed under the roaster for General Female Category which the petitioner did not belong to.

This Court also agrees with the submission of learned counsel for the State that the petitioner having filed this writ application in her individual name cannot be allowed to make a submission as if the writ application has been filed on behalf the Self Help Group. The perusal of the writ application shows that the petitioner has filed this writ application in her individual capacity.

In the aforesaid view of the matter, this Court finds no reason to interfere with the selection of respondent no. '6' who belongs to the General category female for whom the shop was available as per roaster.

This writ application has no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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