

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21921 of 2019

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Renu Sinha, W/o Dilip Kumar Sinha, R/o- Devipur, P.S. - Kahalgaon, Distt. - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
3. The District Magistrate cum Collector, Bhagalpur.
4. The S.D.O. Kahalgaon at Kahalgaon, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate Ms. Preety Kunwar, Advocate
For the State	:	Mr. Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-11-2019 Learned Senior Counsel for the petitioner submits that on the date the application of the petitioner for grant of licence on compassionate ground was submitted, her husband was not in a government job, therefore the rejection of her application on the ground that her husband was in service is not correct and the impugned order, as contained in Annexure '1', is liable to be set-aside.

Learned counsel for the State submits that even though on the date of submission of the application the husband of the petitioner was not in service, it is not in dispute that on the date of consideration of the said application the husband of



the petitioner had come in the government service and this being the position considering that the licence was to be granted on compassionate ground, no fault may be found with the decision of the respondent authorities if the status as appearing on the date of consideration has been taken into consideration.

Having heard learned Senior Counsel for the petitioner and learned counsel for the State, this court is of the considered opinion that this being a matter of compassionate grant of licence and there being an admitted fact that on the date of consideration the husband of the petitioner had been in government service, no fault may be found with the decision of the respondent authorities. The petitioner does not deny that during pendency of the application her husband had joined in the Education Department of the Government of Bihar.

The Writ Application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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