

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4024 of 2018

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Chunchun Jha as the President of Fair Price Dealer Association, Prakhand
Dhaka, son of Late Hari Kant Jha, Resident of Village- Telhara Kalan, Police
Station- Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna
2. The Secretary, Food and Civil Supply, Govt. of Bihar, Patna.
3. The Director, Food and Civil Supply, Govt. of Bihar, Patna.
4. The District Magistrate, East Champaran, Motihari.
5. The District Supply Officer, Sikarhana, Dhaka, East Champaran, Motihari.
6. The Sub Divisional Officer, Sikarhana, Dhaka, East Champaran, Motihari.
7. The Assistant District Supply Officer, Sikarhana, Dhaka, East Champaran, Motihari.
8. The Marketing Officer, Dhaka, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 27-02-2020

Petitioner has prayed for following reliefs:-

(i) For issuance of an appropriate writ commanding the respondents to declare the ultra virus provision vide memo number 1750 dated 10/03/2016 passed by the Joint Secretary, Government of Bihar, Patna whereby and where under the reservation has been given for business in the public distribution system in para number- 6(i) of the said notification as contained as Annexure-1 to this writ petition as to when as per



the Constitution of India under article 19(1)(g), this freedom means that every citizen has the right to choose his own employment or to take up any trade or calling, subject only to the limits as may be imposed by the state in the interests of the public welfare, and the other grounds mentioned in clause (6) of Art 19.

(ii) For issuance of the appropriate writ commanding the respondents to stop the proceeding regarding the matter of the appointment of shop of dealership as per advertisement vide letter number-134 dated 30.11.2017 as contained in Annexure-2 to this writ petition.

(iii) For any other reliefs which petitioner is entitled under law of the facts of the said case.

Learned counsel for the petitioner seeks permission to withdraw this petition.

Permission is accorded.

Accordingly, this petition is dismissed as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

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