

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8104 of 2019

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Shila Devi, wife of late Uday Kumar Singh, resident of Village- Sargatti, P.S.
Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Sub-Divisional Officer, Sadar Chapra, Saran.
4. The District Supply Officer, Saran at Chapra.
5. The District Manager, Bihar State Food Corporation, Saran at Chapra.
6. The Assistant District Supply Officer, Saran at Chapra.
7. The Block Supply Officer, Garkha, Saran at Chapra.
8. The Assistant Godown Manager, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-01-2020 A counter affidavit has been filed during the course of argument. Let it be taken on record. A copy of such affidavit has already been furnished to the counsel for the petitioner in Court.

The father-in-law of the petitioner was a licensee under the PDS scheme who died before the age of 58 years. Thereafter, his son sought license on compassionate ground which was rejected by the



licensing authority on finding that the certificates furnished by him are forged. Against the aforesaid decision of the licensing authority, the applicant preferred an appeal which too was rejected.

The petitioner is widowed daughter-in-law of the original licensee.

Since after the appellate order, the husband of the petitioner died, this petition as it relates to the claim of a dead person, has become infructuous.

No order need be passed in the present petition except for a liberty to the petitioner to make an application before the concerned authority for grant of license on compassionate ground as she is the widowed daughter-in-law of the original licensee.

Should such an application be filed by the petitioner, seeking license on compassionate ground, the same shall be considered on its own merits without being prejudiced by the fact that the claim of her husband was rejected and taking into account that her father-in-law



was a licensee.

The writ petition stands disposed off with the
aforesaid liberty.

(Ashutosh Kumar, J)

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