

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9512 of 2020

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Suresh Prasad Son of Yogendra Rai, Resident of Village - Manikpur, P.O.-
Gadahiya, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna.
2. The Director, Consumer Protection Directorate, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The District Supply Officer, East Champaran, Motihari.
5. The Sub Divisional Officer, Pakaridayal, East Champaran, Motihari.
6. The Block Supply Officer, Block- Tetariya, East Champaran, Motihari.
7. Rameshwar Rai, S/o Late Ruplal Rai, (PDS Dealer), Resident of Village- Lahladpur, P.S.- Madhuban, Block- Tetariya, District - East Champaran.

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

"I.To constitute an enquiry committee to
enquire the P.D.S. Shop of Respondent No.7,



Rameshwar Rai situated at Village-Lahladpur, Gram Panchayat Raj Punash Lahladpur, Block-Tetariya, P.S.- Madhuban, Block- Tetariya, District-East Champaran, who indulged in Black Marketing irregular supply of essential commodities and abstracting money for issuance of Ration Card etc.

II.To direct the respondent authorities to check the stock register/balance slip and the document (Electronic and Physical) with regard to the receiving and supply of essential commodities since 2014 which itself disclosed the irregularities done by the respondent no. 7, P.D.S. Dealer.

III.To enquire the P.D.S. shop of the Respondent no.7 Ramesh Rai who even during this pandemic of Covid-19 indulge in black marketing supply of less quantity and even demanding money for the supply of good grain from those who unable to feed themselves or their family members."

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of eight weeks.

The concerned respondent is directed to consider and



decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing be afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rrajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

