

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8090 of 2019

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Vikash Kumar Chaudhary, son of Chandeshwar Chaudhary, resident of Village-Post Basant Kharauna, P.S.-Kurhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur
3. The District Magistrate, Muzaffarpur.
4. The Sub-Divisional Officer, West Muzaffarpur.
5. The District Supply Officer, Muzaffarpur
6. The Block Supply Officer, Kurhani, Muzaffarpur.
7. Ajay Kumar, son of Rajendra Sahni, resident of Village-Basant Kharauna, P.S.-Kurhani, District-Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-01-2020 The petitioner has challenged the decision of the respondents in granting PDS license to private respondent No. 7 on the ground that he is absolutely ineligible for being made the concessionaire whereas the petitioner has all the qualifications for being selected.

From the perusal of the list appended to the petition, it becomes very clear that private respondent No. 7 though is a graduate but has not furnished any



certificate regarding his being computer literate. In distinction to the aforesaid fact with respect to the private respondent No. 7, the petitioner is intermediate pass but is possessed of computer literacy. There was no reason why the claim of the petitioner was superseded.

Normally this Court would have issued notice to private respondent No. 7 for such wrong grant of license to him, rejecting the claim of the petitioner, but for expeditious disposal of the case and redressal of the grievance of the petitioner, this Court deems it appropriate to direct the petitioner to make a detailed representation before the District Magistrate, Muzaffarpur (respondent No. 3), annexing the copies of the documents pitched in the present petition within a period of two weeks, who, on receipt of the same shall look into the matter and in case it is found that the grant of license to private respondent No. 7 in place of petitioner was wrong, necessary corrective order shall be passed within a further period of six weeks.



It is not required to be stated that before passing any order, private respondent No. 7 and the petitioner shall be heard.

The writ petition stands allowed to the extent indicated above.

(Ashutosh Kumar, J)

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