

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10608 of 2019

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Murli Manohar Son of Ram Charitra Chandrabanshi Resident of Village-Shibdih, P.S.-Kajra, District-Lakhisharai.

... .. Petitioner/s

Versus

1. The State of Bihar through the principle secretary Department of food and consumer protection, government of Bihar.
2. The Commissioner (Munger) Commissioner.
3. The sub Divisional Officer, Lakhisharai.
4. The assistance District supply officer, Lakhisharai.
5. The Block supply Officer, Lakhisharai.
6. The marketing Officer supply Department, Lakhisharai.
7. Sambhu Sharan Nirala Son of Ram Charitra Chandrabanshi Resident of Village-Shibdih, P.S.-Kajra, District-Lakhisharai.
8. Mithun Chakarborty Son of Ram Charitra Chandrabanshi Resident of Village-Shibdih, P.S.-Kajra, District-Lakhisharai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vikram Jeet
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-01-2020 Heard the learned counsel for the parties.

The petitioner along with his two brothers
(Respondent Nos. 7 and 8) had applied for being
selected for grant of license to run the Public Distribution
Shop.

All the above applicants, namely, the petitioner
and his two brothers (Respondent Nos. 7 and 8) were



found to be eligible, and the petitioner has been ranked 3rd in the merit-list. The other two brothers of the petitioner, viz, Respondent Nos. 7 and 8 have already given their no objection to the District Magistrate-cum-Chairman of the Selection Committee stating that they are not interested in getting the license and running the Public Distribution Shop and that the license be granted to the petitioner. Bypassing the aforesaid request made by two of the applicants / brothers of the petitioner, license has been granted to private-respondent no. 7.

A representation has been made by the petitioner before the District Magistrate-cum-Chairman of the Selection Committee, Lakhisarai on two occasions but no heed has been paid on such representation.

Under the aforesaid circumstances, this Court directs the petitioner to make a fresh representation before the District Magistrate-cum-Chairman of the Selection Committee, Lakhisarai stating in detail that the licensee who is his own brother is not interested in



running the shop and has also given his no objection in his favour. On receipt of the aforesaid representation, which shall be filed within a period of three weeks from today, the concerned respondent shall explore the possibility of granting license to the petitioner if the procedure permits of such selection. Any order which shall be passed by the concerned respondent shall abide by the procedure prescribed in that regard.

The decision shall be taken within a period of six weeks from the date of receipt of such representation, which decision shall be communicated to the petitioner forthwith.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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