

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23287 of 2019

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1. Kamlesh Kumar Singh Son of Late Chandra Dev Singh Resident of Village- Gotpa, P.S.- Agrer, District- Rohtas (Sasaram).
 2. Premlata Devi Wife of Guddu Kumar Resident of Village- Beda, P.O. Moresarai, P.S.- Sasaram, District- Rohtas (Sasaram).
 3. Priyanka Kumari @ Priyanka Devi Wife of Munna Kumar Resident of Village- Karma, P.O.- Barahdih, P.S.- Sasaram Muffasil, District- Rohtas (Sasaram).
 4. Baby Vandana Devi Wife of Rajnikant Singh Resident of Village- Narayana, P.S.- Chanari, District- Rohtas (Sasaram).
 5. Asha Kumari Wife of Santosh Kumar Singh Resident of Village- Maruan, P.O. and P.S.- Dinara, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Level Selection Committee, Rohtas at Sasaram through its Chairman.
3. The District Magistrate, Rohtas at Sasaram.
4. The Sub-Divisional Officer, Sasaram, District- Rohtas.
5. The Sub-Divisional Officer, Bikramganj, District- Rohtas.
6. The Sub-Divisional Officer, Dehri, District- Rohtas.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14609 of 2017

Reyaz Ahmad son of Late Md. Eliyas Resident of Ward No. 15, Mohalla - Kabirganj, P.O. - Sasaram, P.S. - Sasaram, District - Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary of Food and Supply Department, Government of Bihar, Patna.
3. The Divisional Commissioner Patna Division, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Sub Divisional Magistrate, Sasaram at Rohtas.
6. The Sub-Divisional Magistrate, Bikramganj, Rohtas.
7. The Sub-Divisional Magistrate, Dehri, Rohtas.

... .. Respondent/s

Appearance :



(In Civil Writ Jurisdiction Case No. 23287 of 2019)

For the Petitioner/s : Mr. Vijay Anand, Advocate
Mr. Ajay Kr. Tiwari, Advocate

For the Respondent/s : Mr. Alok Ranjan, Advocate

(In Civil Writ Jurisdiction Case No. 14609 of 2017)

For the Petitioner/s : Mr. Arun Kumar Bhaga, Advocate
Mr. Nutan Sahay, Advocate
Mr. Majid Mahboob Khan, Advocate

For the Respondent/s : Mr. Alok Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 04-02-2020

Counter affidavit in C.W.J.C. No. 14609 of 2017

has been filed during the course of the day.

Let it be taken on record.

C.W.J.C. No. 23287 of 2019 (Kamlesh Kumar Singh v. State of Bihar) and C.W.J.C. No. 14609 of 2017 (Reyaz Ahmad v. State of Bihar) have been taken up together. For sheer necessity, C.W.J.C. No. 14609 of 2017 is being disposed of first as the relief prayed for in C.W.J.C. No. 23287 of 2019 is dependent upon any decision passed in the Writ Petition No. 14609 of 2017.

Reyaz Ahmad (C.W.J.C. No. 14609 of 2017)

The petitioner had challenged the advertisement inviting persons for being considered for selection as licensees under the Public Distribution System on the sole



ground that the vacancies were calculated without observing the roster for reservation.

The counter affidavit which has been filed today in Court indicates that the roster of reservation was provided by the government which in turn was provided to the relevant department for issuance of advertisement for the vacancy in the number of licensees for particular areas.

There is no reason to dispute the aforesaid factual statement by the state and therefore, the writ petition is not required to be adjudicated any further.

The petition is dismissed in the light of the averments made in the counter affidavit which has not been challenged by the learned counsel for the petitioner.

Kamlesh Kumar Singh (C.W.J.C. No. 23287 of 2019)

The petitioners' claim that they have been selected for being issued licenses but no license has been issued to them only for the reason that in the earlier case Reyaz Ahmad (C.W.J.C. No. 14609 of 2017), an order



was passed by a bench of this Court to continue with the process of selection but till the disposal of the aforesaid writ petition, no license be granted to any person.

With the dismissal of the aforesaid writ petition, no such embargo now remains in force and if the petitioners are the selected candidates, they ought to be given the license as early as possible. Any delay in the matter would only disrupt the supply of essential commodities to the targeted population.

The petitioners are therefore directed to make available a copy of this order to the concerned respondent who shall take steps for grant of license to the petitioners after ensuring that they have been properly selected.

With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.02.2020
Transmission Date	

