

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4006 of 2021

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Md. Imraj Rasid, S/o Harun Rasid, R/o Village-Marar, Ward No. -06, P.S. Morkahi, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through District Level Selection Committee, Khagaria.
2. District Magistrate Khagaria (chairman of District Level Selection committee), District-Khagaria.
3. The District Supply Officer, Khagaria (Secretary of Selection Committee), District-Khagaria.
4. District Co-operative Officer, Khagaria, District-Khagaria.
5. District Development Commissioner, Khagaria, District-Khagaria.
6. Sub-divisional Officer, Khagaria, District-Khagaria.
7. Block Supply Officer, Khagaria, District-Khagaria.
8. Md. Ashfaque Alam, S/o Pkharey Alam, R/o Village-Marar South, P.S.-Morkahi, District-Khagaria.
9. Haidar Imam, S/o Md. Ashad Imam, R/o Village-Marar South, P.S.-Morkahi, District-Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha
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 : 20-12-2021

Petitioner has prayed for the following relief(s):

“I.For issuance of an appropriate writ in the nature of certiorari for quashing the selection list of P.D.S. (Public Distribution System) dealers i.e. fair price shops dated 10.07.2019 issued by District Level Selection Committee Khagaria (contained in annexure-7) by which respondent no. -8 and 9 were



wrongly selected ignoring the provisions of act in spite of raising objection by the petitioner and others.

II. To issuance of appropriate writ in the nature of of mandamus directing the respondent authorities to select the petitioner who is at serial 4 in selection list and an educated elderly unemployed person belong to a most poor family.

III. To grant any other relief/reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.

Learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the Divisional Commissioner, Munger to consider and decide the Appeal/Revision filed, within a period of four weeks from the date of production of a copy of this order.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

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

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

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.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.12.2021
Transmission Date	

