

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5582 of 2021**

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Kamlesh Kumar Yadav Son of Puran Yadav Resident of Village- Pokhari,  
Police Station- Kothi, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate cum the Chairman District Level Selection Committee Gaya.
3. The District Supply Officer cum the Secretary District Level Selection Committee District- Gaya.
4. The Sub Divisional Officer cum The Licensing Authority Sherghati, District- Gaya.
5. Ruhi Gazala Wife of Asagar Alam Khan Resident of Village- Kalami, P.S.- Kothi, District- Gaya.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Advocate  
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 THE CHIEF JUSTICE)**

**Date : 22-12-2021**

Heard learned counsel for the parties.

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



1. That the present writ petition is being filed for order (s), direction (s) to the Respondent concern to select the petitioner as P.D.S, dealer against unreserved vacancy on roster point 715 in Village- Uman, Village Panchayat- Manjhauli, Block- Imamganj (Gaya) who is running from pillar to post securing 1<sup>st</sup> rank in the merit list after declaring the selection of the respondent No. 5 is null and void against unreserved vacancy and is contrary to Rule-9 (ix) of the Bihar Targeted P.D.S. ( Control) Order, 2016.
2. That the petitioner is citizen of India and resides within territorial jurisdiction of this Hon'ble Court and has not

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-



(a) Petitioner shall file a representation before the authority concerned within a period of four weeks from today for redressal of the grievance(s);

(b) The said authority shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of two months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to assail the order before the appropriate forum, if the need so arises subsequently;

(g) We have not expressed any opinion on merits. All issues are left open;



The petition stands disposed of in the aforesaid terms.

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

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

Amrendra/PKP

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