

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6962 of 2021

Veterans Forum for Transparency in Public Life through its General Secretary namely Wing Commander (Retd.) Bishwanath Prasad Singh, aged about 71 years, Male, Son of Late R.N. Singh, R/o PNT Colony No. 2, Dahiyawan, Chapra, PS-Chapra, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
3. The Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
4. The Additional Secretary to the Government, Food and Consumer Protection Department, Govt. of Bihar, Patna.
5. Three men selection committee through its Chairman, Minister, Food and Consumer Protection Department, Govt. of Bihar, Patna.
6. The Secretary, Co-operative Department, Govt. of Bihar, Patna.
7. The Chief Minister, Govt. of Bihar, Patna.
8. Vidyanand Vikal, Son of Late Raghubir Ram, Resident of Village-Khanet, P.O.-Panwar, P.S.-Pawna, District-Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate Mrs. Ritika Rani, Advocate Mr. Ritu Raj, Advocate
For the Respondent/s	:	Mr. P.K. Verma, A.A.G. 3

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 13-07-2021 Petitioner has prayed for the following relief(s):

“(A) For issuance of writ in the nature of quo-



warranto for quashing notification no. 617 dated 03-02-2020 issued under the signature of Additional Secretary, Food and Consumer Protection Department, Government of Bihar by the order of the Governor as contained in Annexure-8 by which respondent no. 8 has been appointed as Chairman of Bihar State Food Commission.

- (B) To hold and declare process taking decision to the post of Chairman Bihar State Food Commission and appointment of Chairman, respondent no. 8 in to the post of Chairman, Bihar State Food Commission as contained in Annexure- 8 is in utter disregard of Section 16(3) of National Food Security Act, 2013 and Rule 5 of Bihar State Food Commission Rule, 2014 without advertisement and law laid down by the High Court for appointment of statutory post decided in the case of Taichi Taga Tara Vs. Rajendra Singh Bhandari reported in 2018(1) PLJR SC 130 is void, illegal, improper and unreasonable, untransparent, not fair play of administration, arbitrary, malafide and bad in law and violation of Article 14 of the Constitution of India and contrary to the aim and object and in breach of Section 16 of National Food Security Act, 2013.

- (C) To hold and declare appointment of respondent no. 8 to the post of Chairman, Bihar State Food Commission is backdoor appointment without any selection and asking application after



advertisement as per criteria of eligibility defined u/s 16(3) of the National Food Security Act, 2013 read with Rule 5 of the Bihar State Food Commission Rule 2014.

(D) And also for necessary relief/ reliefs for which the petitioner is entitled in the eye of law as well as facts of case.”

Shri Dinu Kumar, learned counsel for the petitioner, seeks permission to withdraw the present petition, reserving liberty to file a fresh petition on the same and subsequent cause of action.

Petition is permitted to be withdrawn with the aforesaid liberty.

As and when any such petition is filed, the same shall be listed on priority basis.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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