

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5803 of 2020

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Babloo Kumar @ Bablu Kumar, Son of Moti Yadav, Resident of Village-
Balwapar, Post - Manjour, Police Station- Warisaliganj Muffasil, District-
Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Old Secretariat, Patna.
3. The Special Secretary, Food and Consumer Protection Department,
Government of Bihar, Old Secretariat, Patna.
4. The District Magistrate-cum-Collector, Nawada.
5. The Sub-Divisional Officer, Nawada Sadar, Nawada.
6. The District Supply Officer, Nawada.
7. The Block Supply Officer, Warisaliganj, Nawada.
8. The District Selection Committee, through its Chairman, District Magistrate,
9. Binod Kumar Sharma, Son of Arjun Prasad Singh, Resident of Village
Manjour, Panchayat and Post- Manjour, Police Station- Warisaliganj,
District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

Mr. Gopal Bohra, Advocate

For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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



(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-11-2021

Petitioners have prayed for the following relief(s):-

1.(a) That the present writ application is being filed on behalf of above named petitioner before this Hon'ble court for issuance of writ of certiorari for setting aside/quashing the decision dated 06.07.2018 (Annexure-7, herein) taken by the District Selection Committee held under the Chairmanship of District Magistrate, Nawada by which Respondent No. 9 has been selected for granting Public Distribution System dealership License for Manjour Gram Panchayat as the same has been issued in violation of the terms and conditions of advertisement and on the basis of forged and fabricated educational certificate.

1.(b) That the petitioner is further praying before this Hon'ble Court for issuance of further writ of mandamus directing/ commanding the respondent authorities to consider the candidature of petitioner for grant of Public Distribution System dealership License for Manjour Gram Panchayat, Nawada.

1.(c) For any other relief/ reliefs for which the petitioner would be found entitled under the facts and circumstances of the case.



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 remaining 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 three 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 approach Respondent No.4 namely the District Magistrate-cum-Collector, Nawada, within a period of four weeks from today by filing a representation for redressal of remaining grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three 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 approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

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

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

(i) While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.



The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	25.11.2021
Transmission Date	

