

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 10127 of 2021

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Sarita Kumari Wife of Kishore Kumar @ Kishore Ram, Resident of Ward No. 10, Village-Karsauli, P.S.-Hasanpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and consumer Protection Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The District Magistrate, Samastipur.
5. The District Supply Officer, Samastipur.
6. The Sub Divisional Officer cum Licensing Authority, Rosera, District-Samastipur.
7. Phool Kumari, Wife of Ravichandra Ram, Resident of Village Kokani, Police Station-Hasanpur, District Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Mr. Md. Nadim Seraj, GP-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 04-09-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs:-

“i. For issuance of direction to the respondent



authorities more particularly the District Magistrate, Samastipur, to take final decision on the application dated 05.12.2020 filed by the petitioner and cancel the PDS license no. 21/2019 which has been issued in favour of the respondent no. 7 namely Phool Kumari after ignoring the fact that the petitioner possesses more marks than respondent no. 7.

ii. The petitioner further prays for a direction to the respondent authorities to issue PDS license in her favour at the place of respondent no. 7 namely Phool Kumari wife of Ravichandra Ram, Resident of village-Kokani, Police Station-Hassanpur, District-Samastipur as petitioner is eligible possesses more marks than the respondent no. 7.

At the outset, the learned counsel for the respondent-State Shri Manoj Kumar, AC to GP-4 submits that there is a provision of appeal under the Bihar Targeted P.D.S. (Control) Order, 2016.

In such view of the matter, the learned counsel for the petitioner seeks liberty to file appropriate appeal/ representation before the competent authority. Liberty so sought is granted. In case, appropriate appeal/representation is filed by the petitioner with regard to her aforesaid grievances within a period of four weeks from today, the competent authority shall consider the same in accordance with law and pass a reasoned and a



speaking order within a period of eight weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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