

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 10059 of 2021

Ashish Sharma Son of Ravindra Sharma Resident of Damodarpur (Ditto),
Bhojpur, Bihar- 802166.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate Officer Bhojpur.
3. The Sub Divisional Officer Jagdishpur, Bhojpur.
4. Panchdev Pandey Son of Ramdhiraj Pandey Resident of Village- Post-Damodarpur, Bhojpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 04-08-2021 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 quashing that part of the select list dated 27.03.2021 by the District Selection whereby and whereunder respondent no. 4 was selected for grant of license under the Public Distribution System, in place of the petitioner who has better educational



qualification.

ii. For direction upon the respondent authority for grant license to the petitioner under PDS in place of respondent no. 4.”

At the outset, the learned counsel for the respondent-State Shri. Alok Ranjan, AC to AAG-5 has pointed out that there is a provision of appeal under Rule 32 of the Bihar Targeted PDS (Control) Order, 2016.

In such view of the matter, the learned counsel for the petitioner seeks liberty to file appropriate appeal.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file an appeal before the appellate authority and in case such an appeal is filed within a period of four weeks from today, the appellate authority shall consider the same on merits, without being impeded by the issue of limitation and shall dispose of the same by a reasoned and a speaking order, in accordance with law.

(Mohit Kumar Shah, J)

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