

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL WRIT JURISDICTION CASE NO. 10422 of 2021

Shobha Singh W/O Sanjay Kishore, R/o Village- Marohi, Panchayat-
Chawrahi Jungle Mahal, Ward no. 2, Block- Piro, P.O. Bambhawar, P.S.
Piro, District Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply ,
Govt. of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply , Govt. of Bihar, Patna.
3. The District Magistrate, Bhojpur at Ara.
4. The District Supply Officer, Bhojpur at Ara.
5. The Sub-Divisional Officer, Piro, Bhojpur at Ara.
6. Block Supply Officer, Piro.
7. Seema Kumari, W/O Om Prakash Singh, R/O Village- Fulchand Ke
Bathan, Ward no. 13, Block-Piro, P.O. Bambhawar, P.S. Piro, District
Bhojpur.

... .. Respondent/s

Appearance:

For the Petitioner/s : Mr. Alok Ranjan, Advocate.
For the Respondent-State : Mr. Upendra Pratap Singh, AC to SC-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 10-09-2021

The instant case 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 ition has been filed seeking the



following reliefs:-

“I. For quashing of Memo no. 178 dated 27.03.2021, whereby and where under a direction has been taken and recommendation has been made by District Selection Committee, headed by District Magistrate, Bhojpur, for grant of fresh PDS (public distribution system) license for Village- Marohi, ward no. 2, Panchayat- Chawrahi Jungle Mahal, Block Piro, in the District of Bhojpur, in favour of respondent no. 7 in spite of the fact that petitioner is the resident of ward no. 2 for which advertisement was issued and she possess requisite qualification and in spite of the fact recommendation was not made in favour of the petitioner and in place of petitioner, candidature of respondent no. 7 was considered for grant of PDS license in most arbitrary and illegal manner by completely ignoring the fact that respondent no. 7 is resident of ward no. 13.

II. Further for restraining the respondent authority to grant PDS license in favor of the respondent no. 7 and if already granted operation of the same may be stayed.

III. Further for direction and commanding to the respondents to grant PDS license and allot the other items for distribution to the



beneficiaries, in favor of the petitioner, as she applied for the same and her application was duly received in the office of respondent authorities.”

At the outset, the learned counsel for the petitioner, in presence of the learned counsel for the Respondent State, Shri Upendra Pratap Singh, AC to SC-4, seeks liberty to approach the Divisional Commissioner, Patna by filing appropriate petition/ appeal under Rule 32(vi) of the Bihar Targeted PDS (Control) Order, 2016.

The learned counsel for the respondent State, Shri Upendra Pratap Singh, AC to SC-4 has got no objection.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to approach the Divisional Commissioner, Patna by filing appropriate petition/ appeal against the order dated 27.03.2021, whereby and whereunder a decision has been taken by the District Selection Committee, headed by the District Magistrate, Bhojpur regarding grant of PDS license to the private respondent no. 7. It is needless to state that in case appropriate petition/ appeal is filed within a period of four months, the same shall be disposed of



by the appellate authority within a period of eight weeks, thereafter by a reasoned and a speaking order, after considering the case of the petitioner on merits, in accordance with law.

(Mohit Kumar Shah, J)

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