

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8568 of 2020

Pinki Kumari Wife of Sri Jay Prakash Gupta Resident of Village- Nerthua,
P.O.- Pinjora, P.S.- Kako, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Jehanabad.
3. The Sub-Divisional Officer, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mahboob Ashraf, Advocate
For the Respondent/s : Mr.Upendra Pratap Singh, AC to SC 4

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 15-04-2021

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference. Learned counsel for the petitioner has filed an undertaking that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The writ petition has been filed for the following reliefs as formulated by the petitioner -

“(i) to issue an appropriate writ/order/direction in the nature of Mandamus directing the respondents to issue PDS license in favour of the petitioner for village Nerthua, Gram Panchayat Nerthua, Block-Kako, District



of Jehanabad forthwith as the petitioner has fulfilled all the eligibility criteria and the Selection Committee has also approved her name for the PDS dealer.

(ii) To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner, having been placed at serial no.1 of the merit list and according to the recommendation of the Block Supply Officer, was selected by District Level Selection Committee, Jehanabad for grant of PDS licence for village Nerthua, Gram Panchayat Nerthua, Block Kako in the district of Jehanabad. However, the respondents have still not issued the PDS licence in favour of the petitioner. Accordingly, the petitioner has sought redressal by approaching the District Magistrate through SDO, Jehanabad with her two representations dated 07.01.2019 and 05.03.2019 respectively (Annexures 5 and 6).

4. Learned counsel for the respondent-State appears and has been heard.

5. Having regard to the nature of the grievance of the petitioner, this Court is of the view that the ends of justice shall be met by directing the District Magistrate, Jehanabad to consider and dispose of the petitioner's representations dated



07.01.2019 and 05.03.2019 respectively (Annexures-5 and 6), if still pending, on their own merits in accordance with law after grant of opportunity of hearing to the petitioner, preferably within a period of eight weeks from today. To enable disposal, the petitioner shall furnish her mobile number and e-mail ID to the respondents within a week from today.

6. It is made clear that in view of the ongoing Covid- 19 pandemic, any correspondence between the parties may be made through email and the petitioner shall be at liberty to request for hearing through video conference.

7. The writ petition stands disposed of with the aforesaid directions.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

HR/-

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CAV DATE	-
Uploading Date	17.04.2021
Transmission Date	-

