

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL WRIT JURISDICTION CASE NO. 22 OF 2021

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Anju Shukla @ Anju Kumari Pandey, wife of Rudra Pratap Shukla, resident of Village Chafwa (Mishrauli) Post- Belahi Khas, Panchayat Karkataha, Police Station Kateya, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gopalganj.
2. The Sub-Divisional Magistrate, Hathua, District Gopalganj.
3. The Block Development Officer, Kateya, District Gopalganj.
4. Vijaymal Sharma, son of Nathuni Sharma, Resident of Village Pakadi Dih, Post Belhi Khas, Panchayat Karkataha.

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate.

For the Respondent/s : Mr. Uday Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 01-09-2021 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 tion has been filed for quashing



the memo dated 31.8.2020, to the extent the private respondent no. 4 namely Vijaymal Sharma has been selected as P.D.S. dealer pertaining to Panchayat Karkataha, Block Hathua, District Gopalganj.

The learned counsel for the respondent State, Shri Upendra Pratap Singh, AC to SC-4, submits that as per the provisions contained in Rule 32(vi) of the Bihar Targeted Public Distribution System (Control) Order, 2016, in case the petitioner is aggrieved by the action of the District Selection Committee headed by the District Magistrate, appropriate appeal is required to be filed before the Divisional Commissioner, Gopalganj.

In such view of the matter, the learned counsel for the petitioner seeks liberty to approach the Divisional Commissioner, Gopalganj for the purposes of filing appropriate appeal, however, he submits that a stipulated time frame be fixed for disposal of the appeal.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file appropriate appeal/representation before the Divisional Commissioner, Gopalganj against the order contained in Memo No. 677 dated 31.08.2020 and in case such an appeal/representation is filed within a period of four

ay, the same shall be adjudicated



on merits and a reasoned and a speaking order shall be passed,
in accordance with law, within a further period of eight weeks,
thereafter.

(Mohit Kumar Shah, J)

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