

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 301 of 2021

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Upendra Kumar Son of Avadhesh Prasad, Resident of Village-Pachlova, P.O.-
Pachlova, Police Station-Islampur, District-Nalanda, Bihar-801303

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate-cum-Chairman, District Level Selection Committee, Nalanda.
5. The District Supply Officer, Nalanda.
6. The Assistant District Supply Officer, Nalanda.
7. The District Co-operative Officer, Nalanda.
8. The Sub Divisional Officer, Hilsa, Nalanda.
9. The Schedule Caste/Schedule Tribe Officer, Nalanda.
10. The Marketing Officer, Hilsa, Islampur.
11. The Block Supply Officer, Islampur.
12. Usha Kumari, Wife of Sanjiv Kumar, Resident of Village-Maidi Khurd, P.O.-Khudaganj, Police Station-Khudaganj, District-Nalanda.

... .. Respondent/s

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Appearance:

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 06-09-2021

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 present writ petition has been filed for quashing the proposal passed by the District Selection Committee, headed by the District Magistrate-cum-Collector, Nalanda, whereby and whereunder the respondent No. 12 has been selected for grant of fair price shop license, under the BC category for *Pachlova Panchayat*, Islampur, instead of the petitioner herein.

At the outset, the learned counsel for the petitioner seeks liberty to approach the Divisional Commissioner, Patna Division, Patna against the aforesaid decision of the District Selection Committee under Rule 32(vi) of the Bihar Targeted PDS (Control) Order, 2016.

The learned counsel for the State Shri Alok Ranjan, AC to AAG-6 has got no objection.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file appropriate appeal/petition before the Divisional Commissioner, Patna Division, Patna and in case such an appeal/petition is filed within a period of four weeks from today, the Divisional



Commissioner shall consider the same on merits and dispose off the same by a reasoned and a speaking order, in accordance with law, 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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