

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4167 of 2021

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Yasmin Ara Wife of Shamim Ansari resident of Village - Ward no. 06,
Narainapur, P.S. Ramnagar, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Deptt.
Govt. of Bihar Patna.
2. The District Magistrate, District West Champaran at Bettiah.
3. The District supply officer, District- West Champaran.
4. Additional District Supply Officer, West Champaran.
5. The Sub-Divisional officer, Bagah, District West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-12-2021 Petitioner has prayed for the following relief(s):

“i. For issuance of a writ in the nature of Mandamus, or any other appropriate writ, order or direction to the respondent authorities who denied the application of the petitioner for P.D.S. (Public Distribution System) license for ward no. 2 Nagar Panchayat Ramnagar in the District of West Champaran on the sole ground that she belongs to another ward of Grampanchayat but within the same nutritious area for which the shop license has been notified.



ii. For issuance of a writ in the nature of Mandamus or any other appropriate writ, order, direction to the respondent authorities to re-consider the application of the petitioner for PDS license as per Rule 9 (xi), for which the District Magistrate may grant permission to open the shop out of nutritious area within the same Grampanchayat.

iii. For issuance of any other appropriate writ, order/ order, direction/ direction for which the petitioner shall be found entitled under the facts and circumstances of the case.”

It is submitted on behalf of counsel for the petitioner that she has been wrongly denied the PDS licence for the specific area on the ground that she is not the resident of that locality. However, no such condition exists in Section 9 (XI) of the Selection Committee Rules.

The petition is disposed of, reserving liberty to the petitioner to approach the District Magistrate, West Champaran, Bettiah raising her grievances of non-selection on the erroneous ground i.e. not being the resident of that area.

If any such application/appeal is filed within four weeks, the District Magistrate, West Champaran, Bettiah shall decide such application/appeal within eight weeks thereafter.

The petition stands disposed of in the aforesaid terms.



Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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