

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2152 of 2021

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Manoj Kumar Singh S/o Ramashish Singh R/o Village- Dengri, P.O.- Dengri,
P.S.- Kudra, Block- Kudra, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Bihar, Patna.
2. The District Magistrate, Kaimur (Bhabua).
3. The Sub- Divisional Officer, Mohniya, District- Kaimur (Bhabua).
4. The District Supply Officer, District- Kaimur (Bhabua).
5. The Block Supply Officer, Kudra, District- Kaimur (Bhabua).
6. Asha Devi W/o Abimanu Chaubey resident of Village- Vishunpura, P.S. Kudra, District- Kaimur (Bhabua).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Raju Kumar
For the Respondent/s	:	Mr.Lalit Kishore (Ag)
		Mr. S.Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-10-2021 The present writ petition 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 seeking the following reliefs:-

- (i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of mandamus commanding and directing upon the



respondents to issue fair price shop license under Clause 8 of Bihar Targeted P.D.S. (Control) Order 2016 to the petitioner against general category for village-Dengari within Silthuha Panchayat under Kaimur District.

(ii) To quash the decision taken by the District Selection Committee headed by the District Magistrate, Kaimur (Bhahua) whereby and whereunder private respondent has been considered for selection of PDS dealer against general category for village-Dengari within Silthuha Panchayat under Kaimur District.

(iii) To direct the respondents to issue fair price shop license taking into consideration that the petitioner fulfils all the requisite criteria as provided in Clause 9 of the P.D.S. Control (Order) 2016 and older in age than of the private respondent.

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file an appeal against the decision taken by the District Selection Committee, headed by the District Magistrate, Kaimur (Bhabua) whereby and



whereunder the private respondents have been considered for selection as PDS dealer, before the concerned Divisional Commissioner under Rule 32(vi) of the Bihar Targeted PDS (Control) Order, 2016.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to file requisite appeal before the concerned Divisional Commissioner and in case, such an appeal is filed within a period of four weeks from today, the same shall be disposed of by a reasoned and a speaking order, after hearing all the affected parties, within a period of eight weeks, thereafter, considering the merits of the case of the respective parties.

(Mohit Kumar Shah, J)

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