

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3023 of 2021

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Vikram Kumar, S/o Punydeo Prasad, R/o Mahuawa, P.O.-Damodarpur, P.S.-
Baisaha, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply,
Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply, Bihar, Patna.
3. The District Magistrate, East Champaran.
4. The District Supply Officer, East Champaran.
5. The Sub-divisional Officer, Chakia, East Champaran.
6. Sonu Kumar, S/o Paras Prasad, R/o Village-Mahuawa, P.S.-Pipra, District-
East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 14-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(I). For quashing the order dated
13.12.2019 passed in case no. 58/2019, by which
in a most arbitrary and illegal manner the
respondent authorities have dismissed the claim
of the petitioner for grant of license of Public
Distribution System Shop and selected
respondent no.6 for grant of fresh PDS (public
distribution system license) license in Chakia
Sub Division, in place of petitioner who fulfills



all requisite criteria for grant of PDS License as he has score more marks in matric than that of respondent no.6, which is the qualification prescribed for grant of fresh PDS license.

(II) Further for direction to the respondents to grant PDS license to the petitioner as he is suitable candidate possessing requisite qualification as per statutes, for grant of PDS license.

III. For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

Before us, it is not in dispute that petitioner has got an equally alternate efficacious remedy of appeal/revision as provided under the provision of the standing order.

After some argument, learned counsel for the petitioner does not want to press the present petition reserving liberty to prefer an appeal/revision with a direction for the same to be disposed of expeditiously.

As such, as prayed for, present petition is disposed of in the following mutually agreeable terms:-

(a) Petitioner is permitted to prefer an appeal/revision within a period of two weeks from today;

(b) The appropriate authority shall consider and decide the same on its own merit expeditiously by assigning reasons



within two months thereafter, copy whereof shall be supplied to the petitioner; and

(c) We have not expressed any opinion on merits. All issues are left open.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/sujit

AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2021
Transmission Date	

