

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1297 of 2020

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Urmila Kumari daughter of Arvind Vishwkarma, resident of village- Ankorha,
P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Food and Civil Supply Department, Govt of Bihar,
Patna
3. The Commissioner, Magadh Division, Gaya District-Gaya
4. The Secretary, Food and Consumer Protection Department, Govt. of Bihar,
Patna
5. The District Magistrate, Aurangabad District- Aurangabad
6. The Officer on Special Duty Food and Consumer Protection Department,
Govt. of Bihar, Patna
7. The District Supply Officer, Aurangabad District Aurangabad
8. The Sub Divisional Officer, Daudnagar Sub Division Daudnagar, District-
Aurangabad
9. The District Co-operative Officer, Aurangabad, District Aurangabad
10. The District Welfare Officer, Aurangabad
11. The Executive Engineer, Public Health Engineering Department,
Aurangabad District- Aurangabad
12. Amrita Kumari, Wife of Amit Kumar, resident Kumar, resident of village-
Parihara, P.S. Khudwan, District- Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Rashid Alam, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (AAG 5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE NAWNEET KUMAR

PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 05-12-2022

Heard the learned counsel for the petitioner and
the State.



In view of the nature of controversy raised on behalf of the petitioner as also in view of the notification dated 21.07.2022, issued by the government in exercise of the powers conferred under Sections 3 and 5 of the Essential Commodities Act, 1955 read with Clause-36 of the Bihar Targeted Public Distribution System (Control) Order, 2016, we are of the view that the dispute would be resolved, if a suitable representation/complaint is made before the Divisional Commissioner of the concerned Division, i.e., Gaya .

Should a suitable representation/complaint be made before the Divisional Commissioner, Gaya within a period of 30 days, he shall look into the matter and after hearing all the stakeholders, including private Respondent No. 12, shall pass a reasoned order within a period of 60 days, which shall be communicated to the petitioner and other stakeholders, including private Respondent No. 12.

The order so passed by the authority shall be made



available to the petitioner as well as respondent no. 12
forthwith.

We have specially asked for private Respondent
No. 12 to be heard by the Divisional Commissioner,
Gaya for the reason that this order has been passed in
her absence.

The writ petition is accordingly disposed of.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Mahesh/HR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.12.2022
Transmission Date	N/A

