

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.400 of 2019

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Rekha Kumari, W/o Lakshman Kumar, RO- village- Kothiya hari ram, P.O-
Mehsi Kothiya Hari Ram, P.S- Mehsi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply, Govt. 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. Arun Kumar, S/o Vijay Ram, RO- Village-Kankati, P.S.- Mehsi, P.O.- Kothiya Hari ram, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Adv.
For the State : Mr. Anisul Haque, Adv.

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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 : 24-11-2022

Heard Mr. Alok Ranjan, the learned Advocate
for the petitioner and Mr. Anisul Haque, the learned



counsel for the State.

2. In view of the nature of controversy raised by 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 it would be appropriate to refer the matter to the Divisional Commissioner for resolution of such dispute.

3. Should the petitioner make a suitable representation/complaint before the concerned Divisional Commissioner within a period of 30 days, he shall look into the matter and after hearing all the stakeholders including respondent No. 6, shall pass a final order within a further period of 90 days, giving reasons in support of the decision so taken by him.

4. The order so passed by the authority shall be made available to the petitioner as well as respondent



No.6 forthwith for the needful.

5. We have specifically asked respondent No. 6 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

6. The writ petition stands disposed off accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Praveen-
II/Anuradha

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28/11/2022
Transmission Date	N/A

