

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.998 of 2019

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Poonam Kumari, Wife of Shri Ramjeet Kumar Resident of Village- Teghra,
P.S. Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar (and Ors) through Principal Secretary Food Supply Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The District Supply Officer, Madhubani.
4. The Sub-Divisional Officer (Civil Supply) Madhubani.
5. The Block Supply Officer- Babubarhi, Madhubani.
6. Smt. Reema Kumari Wife of Amrendra Kumar Yadav Resident of Village- Barail Ward No. 14, Panchayat Teghra, P.S. Babubarhi, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Respondent/s : Mr. S.Raza Ahmad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 28-09-2022

1. Heard Mr. Udesb Kumar Yadav, learned counsel for
the petitioner and Mr. Alok Ranjan, for the State.



2. The petitioner has challenged the grant of licence to Private Respondent No. 6 on the ground that she had furnished wrong certificate which was relied upon by the District Selection Committee and the claim of the petitioner which is much better than Respondent No. 6 has been rejected.

3. 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 direct that in the event of the petitioner making 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 taken by him.

4. The order so passed by the authority shall be made available to the petitioner as well as the Respondent No. 6.



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

6. The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

SKM/uttam/-

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CAV DATE	
Uploading Date	
Transmission Date	

