

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4912 of 2021

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Rekha Kumari @ Rekha Devi Wife of Mahendra Mahaseth, Resident of Village and P.O.-Akkaur, P.S.-Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The District Magistrate, Madhubani.
3. The District Supply Officer, Madhubani.
4. The Sub-Divisional Officer, Benipatti, Madhubani.
5. Anita Kumari Wife of Sikandar Mahaseth, Resident of Village and P.O.-Akkaur, P.S. Benipatti, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv
For the Respondent/s : Mr. Alok Ranjan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 27-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

The petitioner has grievance against grant of licence in favour of respondent no. 5 to run a fair price shop under Bihar Targeted Public Distribution System (Control) Order, 2016 on compassionate basis consequent upon the death of the original licensee. The licensee was father-in-law of the petitioner and respondent no. 5.



The petitioner claims better right than respondent no. 5 to be granted licence on compassionate basis. It is her further case that based on forged documents respondent no. 5 has obtained the licence from the office of Licensing Authority.

From the pleadings in the writ application, it appears that petitioner has approached the District Magistrate questioning the legality of grant of licence in favour of respondent no. 5 by making representation which has already been taken cognizance by the District Magistrate. It has been stated that the licence granted in favour of respondent no. 5 has been suspended by an order dated 07.08.2019.

Learned counsel appearing on behalf of the petitioner submits that as no final decision is being taken on petitioner's representation to cancel the licence of respondent no. 5, the case of the petitioner is not being considered for grant of licence in her favour.

Considering the facts and circumstances of the case, this application is disposed of with an observation that the petitioner shall be at liberty to pursue her representation before the appropriate/statutory authority. It is further expected that the appropriate/statutory authority shall take a final decision within three months from the date of receipt/production of copy of this



order, if already not taken.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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