

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4979 of 2021

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Nandani Jha @ Nandani Kumari Wife of Raushan Kumar Jha, Resident of
Mirdaul, P.S. Narpatganj, District-Arariya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Department,
Government of Bihar, Patna.
2. The Commissioner , Purnea Division, Purnea.
3. The District Magistrate, Arariya.
4. The Sub-Divisional Officer, Forbesganj, Arariya.
5. The District Supply Officer, Arariya.
6. The Block Supply Officer, Narpatganj, Arariya.
7. Supar Kumari Wife of Pankaj Kumar Singh Resident of Mirdaul, Ward No.
13, P.S. Narpatganj, District-Arriya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary
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)**

3 27-01-2022 This application has been taken up for online hearing

through video conference because of COVID-19 pandemic

restrictions.

Pursuant to notice issued by the Collectorate,

Araria, for grant of licence under Bihar Targeted Public

Distribution System (Control) Order, 2016, the petitioner had

applied. Respondent no. 7 was also an applicant. Respondent



no. 7 has been granted licence on 23.10.2018 on the basis of recommendation of a Selection Committee headed by the District Magistrate.

The petitioner has grievance against selection of respondent no. 7 and her non-selection for grant of the said licence in the present writ application filed on 11.01.2021 which came to be registered on 12.02.2021.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is more meritorious than respondent no. 7 for the purpose of grant of said licence. He has further submitted that after the licence was granted to respondent no. 7, the petitioner approached several authorities raising her objection.

There is no averment in the writ petition that the petitioner ever approached the District magistrate raising any objection. Clause 16 of the notice inviting application clearly stipulates that in case of any dispute, the decision of the District Magistrate shall be final. It is not the petitioner's case that he ever approached the District Magistrate raising any objection which could have been taken into account by the District Magistrate and decided accordingly.

Learned counsel appearing on behalf of the



petitioner has however submitted that the petitioner did not approach the District Magistrate, he being the Chairman of the Selection Committee. He further submits that if permitted by this Court, she may approach the District Magistrate now raising her objection.

In our view, since it is an admitted fact that the petitioner did not approach the District Magistrate raising any dispute against selection of respondent no. 7 and her non-selection, at this stage, liberty can be granted. On the basis of what has been asserted in the pleadings, no relief as sought can be granted.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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