

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4139 of 2020

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RANJEET KUMAR Son of Ramswaroop Yadav, Resident of Village- Nakta,
Ward No. 08, Telwa, P.S. and District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Supaul.
3. The Additional District Magistrate, Supaul.
4. The Sub- Divisional Officer, Supaul.
5. The District Supply Officer, Supaul.
6. The Circle Officer, Supaul.
7. The Block Supply Officer, Supaul.
8. Vijay Yadav, Son of Ram Prasad Yadav, Resident of Mohalla- Gangjala, East of Labor Office- Gautam Nagar Ward No. 12, Saharsa, P.O. and P.S. and District- Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nagendra Kumar Singh, Advocate Mr. Kuldeep Kumar, Advocate
For the State	:	Mr. Upendra Kumar Singh, Advocate
For the Pvt. Resp. No. 8	:	Mr. Abhinendra Kumar Jha, Advocate

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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 : 23-11-2022

Heard Mr. Nagendra Kumar Singh, the learned
counsel for the petitioner, Mr. Abhinendra Kumar Jha for
private respondent no. 8 and Mr. Upendra Pratap Singh
for the State.



The petitioner has challenged the grant of licence to private respondent no. 8 on various grounds.

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 concerned Divisional Commissioner for resolution of such dispute.

Should the petitioner make a suitable representation/complaint before the concerned Divisional Commissioner within a period of 15 days, he shall look into the matter and after hearing all the stakeholders, including private respondent no. 8, shall pass a reasoned order within a further period of 30 days, giving reasons in support of the decision taken by him.

The order so passed by the authority shall be made



available to the petitioner forthwith.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Mahesh/-

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

