

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1977 of 2019

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Jay Prakash Kumar, aged about 29 years (Male), Son of Sugan Ram Resident
of Village- Belaon, P.S.- Sikaraul (Lakh), District- Buxar (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Buxar, District- Buxar
2. District Supply Officer, Buxar, District- Buxar
3. Sub-Divisional Officer, Dumaraon, District- Buxar
4. Sub-Divisional Officer, Buxar, District- Buxar
5. District Statistics Officer, Buxar, District- Buxar
6. District Co-operative Officer Buxar, District- Buxar
7. Govind Kumar Son of Sri Ram Paswan Resident of Village- Belaon, P.S.-
Sikaraul (Lakh), District- Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the State : Mr. Upendra Pratap Singh, Advocate
For the Respondent No. 7: Mr. Anshuman Singh, Advocate
Mr. Ramkant Yadav, Advocate

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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 : 24-08-2022



Heard Mr. Bachanji Ojha, learned counsel for the petitioner and Mr. Upendra Pratap Singh, for the State.

The petitioner has challenged the selection of Respondent No. 7 as a PDS Dealer on the ground of his having submitted the application for PDS License after the due date fixed, thereby making the petitioner stand below in the list prepared by the District Selection Committee.

In view of the notification dated 21.07.2022 issued by the Government in exercise of the powers conferred under Section 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, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders including Respondent No. 7, shall pass a final order within a further period of 90 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 as well as the Respondent No. 7.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

skm/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.08.2022
Transmission Date	NA

