

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2180 of 2022

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Nafish Akhtari D/o. Late. Vahidul Haque R/o - Ward No. - 14 Simri
Bakhtiyarpur, Dist. - Saharsa, Bihar - 852127.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Food and Civil Supplies Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supplies Department, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Sub Divisional Officer, Saharsa.
5. The Sub Divisional Officer, Simri - Bakhtiyarpur.
6. The District Supply Officer, Saharsa.
7. The District Cooperative Officer, Saharsa.
8. The District Program Officer (Jeevika), Saharsa.
9. Sweety Kumari W/o Niranjana Kumar Resident of Village Simri Bakhtiyarpur, Ward No. 12, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nikunj Shekhar
For the Respondent/s	:	Mr. Arvind Ujjwal (Sc4)
		Mr. Upendra Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 25-02-2022 Heard Mr. Nikunj Shekhar, learned Advocate

for the petitioner and Mr. Upendra Pratap Singh for the

State.

In the tentative merit list for grant of licence

under the Public Distribution Scheme, the petitioner was



ranked above the respondent no.9 in the category of economically Backward Class (Female). The petitioner is a graduate and computer literate.

It is the contention of the petitioner that a communication was made vide Memo No.49-2, dated 13th of January, 2021 intimating the convening of a meeting of Selection Committee for selecting the PDS dealers on 16.01.2021. Such notification was not widely circulated. The petitioner could not get any information regarding the same.

In the meeting, which was held, only two persons were put to computer test in which respondent no.9 was found to be more competent. The petitioner did not have any information of such meeting or the test of the candidates who were shortlisted tentatively. As such, the petitioner has been left out high and dry.

However, since dealership has already been given to respondent no.9, we deem it appropriate to direct the petitioner to make an objection before the



District Magistrate, Saharsa in that regard within a period of thirty days, who, on receipt of such objection, shall look into the matter and, if necessary, call upon respondent no.9 and after hearing all the stake holders, take an informed decision with respect to selection of the PDS dealer for the concerned area. The decision shall be communicated to the parties forthwith.

With the aforesaid direction/observation, the petition stands disposed of.

(Ashutosh Kumar, J.)

(Anjani Kumar Sharan, J.)

Sanjay/-

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