

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3338 of 2020

1. Priyanka Kumari, Wife of Dilip Kumar, resident of Village- Ghanta, P.S.- Nabinagar, District- Aurangabad.
2. Surabhi Kumari, daughter of Ram Pravesh Singh, resident of Village- Laltenganj, P.S. Madanpur, District- Aurangabad.
3. Pramendra Kumar Singh, Nagesh Singh, resident of Village- Suhai, P.S. - N.T.P.C., District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Food and Civil Supply Department, Govt of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya, District- Gaya.
4. The Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
5. The District Magistrate, Aurangabad District- Aurangabad.
6. The Officer on Special Duty, Food and Consumer Protection Department, Govt. of Bihar, Patna.
7. The District Supply Officer, Aurangabad District- Aurangabad.
8. The Sub Divisional Officer, Aurangabad, Sub Division Aurangabad, District- Aurangabad.
9. The District Co-operative Officer, Aurangabad, District- Aurangabad.
10. The District Welfare Officer, Aurangabad.
11. The Executive Engineer, Public Health Engineering Department, Aurangabad. District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Rashid Alam, Advocate
For the Respondent/s : Mr. Arvind Ujjwal (SC 4)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)



Date : 05-12-2022

Heard the learned counsel for the petitioners and the State.

In view of the nature of controversy raised on behalf of the petitioners 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 the dispute would be resolved, if a suitable representation/complaint is made before the Divisional Commissioner of the concerned Division, i.e., Gaya.

Should a suitable representation/complaint be made before the Divisional Commissioner, Gaya within a period of 30 days, he shall look into the matter and after hearing all the stakeholders, shall pass a final order within a period of 60 days, giving reasons in support of the decision taken by him.



The order so passed by the authority shall be made
available to the petitioners forthwith.

The writ petition is accordingly disposed of.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

Mahesh/HR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.12.2022
Transmission Date	N/A

