

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7094 of 2021

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Madhu Devi, Wife of Lal Bahadur Razak @ Lal Bahadur Baitha, Resident of Village-Anandichak, Gram Panchayat-Jayantipur, Block-Nauhatta, P.S. Nauhatta, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The District Magistrate-cum-Collector, Rohtas at Sasaram.
4. The District Supply Officer, Rohtas at Sasaram.
5. The Sub Divisional Officer, Dehri, Rohtas.
6. The District Officer, SC/ST, Rohtas at Sasaram.
7. The District Co-operative Officer, Rohtas at Sasaram.
8. The Block Supply Officer, Nauhatta, Dehri, Rohtas.
9. Kumar Seema, Wife of Rajiv Ranjan Kumar, Resident of Village-Anandichak, P.S. Nauhatta, Panchayat-Jayantipur, Block-Nauhatta, District-Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Respondent/s : Mr. Arvind Ujjawal, SC-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 04-01-2022

Heard learned counsel for the parties.



The petitioner has prayed for the following relief/s :-

“I. To issue writ in the nature of writ of certiorari for quashing the order dated 17.01.2021 issued by the District Label Selection Committee, Rohtas, by which the Respondent no.9 has selected as P.D.S. Shop Dealer for SC/ST and the application of the petitioner for selection of P.D.S. Shop Dealer has been rejected without assigning any reason what-so-ever.

II. To issue writ in the nature of mandamus directing the Respondents to make selection of the petitioner as P.D.S. Shop Dealer as the petitioner is more qualified than the Respondent no.9, besides that the petitioner has got additional qualification of computer for which preference has to be given by the Respondents, while making the selection of P.D.S. Shop Dealer amongst the candidates, who made an application for selection of P.D.S. Shop Dealer.

III. To issue any other appropriate writ or writs as this Hon'ble Court may deem fit and proper.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to prefer revision before the appropriate authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such



revision is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the revision shall be heard on merits, to be decided within a period of three months from the date of its filing.

We only hope and expect the appropriate authority to consider and decide the revision on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on facts and law. All issues are left open.

Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/K.C.Jha

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

