

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4323 of 2022

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Sugriv Sah Son of Ache Lal Sah resident of Village - Masauna, P.S. Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate and Collector, Rohtas at Sasaram.
3. The Sub-divisional Officer cum-Licensing Authority, Bikramganj, District - Rohtas.
4. The Block Supply Officer, Sanjhauli, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC - 4

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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 : 21-06-2022

Heard Mr. Bhola Kumar, learned Advocate for the petitioner and Mr. Upendra Pratap Singh, learned AC to SC -4.

The petitioner is the son of a PDS licensee, who died during the tenure of his license. The petitioner had made an application for being granted license on compassionate ground for which necessary documentation was made available by the petitioner before the concerned authority but till date no decision appears to have been taken in that regard.

The learned counsel for the petitioner has submitted that the petitioner is entitled to be granted or at least being considered



for grant of license under Clause – 10 of the *Bihar Targeted P.D.S. (Control) Order, 2016*. He has rested his claim within two years of the death of his father and has also provided information that nobody in his family is in Government service.

There is no reason why no decision has been taken on such application.

It further appears from the records that the Sub-divisional Officer, Bikramganj, Rohtas had directed the Block Supply Officer-cum-Block Development Officer, Sanjhauli to find out the details about the candidature of the petitioner, but till date no decision has been taken. According to the information provided to the counsel for the petitioner, the matter has not yet been placed before the District Compassionate Appointment Committee which is headed by the District Magistrate.

We do not approve of such inaction on the part of Government authorities.

We are thus disposing of this petition with a direction to the District Magistrate to take into account the reason for delay in disposal of the application of the petitioner. He shall, on receipt of a copy of this order, shall inquire from the authorities about the stage at which the application of the petitioner is pending.



This Court expects a final decision to be taken by the authorities with respect to grant of license to the petitioner on compassionate ground within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid direction/observation, the writ petition stands disposed off.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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