

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8424 of 2021

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Afroz Jahan W/o Sarfaraj Ansari Resident of village- Sarangpur, Post-
Kuchhila, P.s.- Kochas, District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Old Secretariat, Patna
2. The District Level Selection Committee, Rohtas at Sasaram through its Chairman
3. The District Magistrate, Rohtas at Sasaram
4. The District Supply Officer, Rohtas at Sasaram
5. The Sub Divisional Officer, Sasaram District- Rohtas
6. Shamsheer Ansari S/o Shamsheer Ansari Resident of Ward no. 9, Gram and Post- Kuchhila, P.s.- Kochas District- Rohtas (Sasaram)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwari, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5
		Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-01-2022 Petitioner has prayed for the following relief(s):

“That the present writ application is being filed on behalf of the petitioner above named for challenging the part of the order of District Selection Committee by which the second impanel candidate was recommended and granted PDS License in his favour for Kuchhila Panchayat against EBC category ignoring the candidature of the petitioner who is a First Impanel candidate in same panchayat against the same category for second seat.”



Learned counsel for the petitioner submits that petitioner shall be content if the present petition is disposed of with a direction issued to the Divisional Commissioner, Patna to consider and decide the Appeal/Revision to be filed by the petitioner within a period of four weeks along with a copy of this order, within a period of three months from the date of its filing.

Shri S. Raza Ahmad, learned A.A.G. 5, states that if such an appeal/revision is filed within the time stipulated above, limitation shall not be allowed to come in the way of its consideration and decision on merits since the petitioner has been pursuing remedies before this Hon'ble Court.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take



recourse to such alternative remedies as are otherwise available
in accordance with law.

We are hopeful that as and when petitioner takes
recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(Sanjeev Prakash Sharma, J)

K.C.Jha/DKS/-

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