

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9643 of 2021

=====

Ragini Devi, Wife of Sudama Prasad, Resident of Village-Dhangae, Ward No.-7, Block + P.S.-Bikramganj, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, District-Rohtas at Sasaram.
3. The District Supply Officer, Rohtas at Sasaram.
4. The Sub Divisional Officer, Bikramganj, District-Rohtas (Sasaram).
5. The Block Development Officer, Block-Bikramganj, District-Rohtas.
6. The Block Supply Officer, Block-Bikramganj, District-Rohtas.
7. Shashi Kant Gaurav, Son of Vishwa Nath Sah, Resident of Village-Dhangae, Ward No.-7, P.S.-Bikramganj, District-Rohtas.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha, Advocate Mr. Ravi Shankar Sahay, Advocate
For the Respondent/s	:	Mr.Arvind Ujjwal, S.C.-4

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 22-02-2022 The petitioner has questioned the legality of selection of Respondent No.7 for grant of licence to run a PDS shop under the Bihar Targeted Public Distribution System (Control) Order, 2016 (in short, “Control Order”). The petitioner was also an applicant. It is the petitioner’s case that the Respondent No.7 did not have the requisite qualifications to be granted the licence in question.

The petitioner has come to this Court directly without approaching appropriate/statutory authority under the Control Order.



In the facts and circumstances of the case, this application is disposed of with an observation that the petitioner shall be at liberty to make an application before appropriate/statutory authority in accordance with the provisions under the Control Order. If such an application is filed within four weeks from today, along with a copy of this order, the said competent/statutory authority shall be under obligation to consider the petitioner's case on merits.

It is made clear that the petitioner's representation/application/appeal shall not be rejected on the ground of limitation, considering the fact that the petitioner had approached soon after passing of the impugned order, by filing the present writ application.

It is further observed that the competent/statutory authority shall be obliged to dispose of the petitioner's application within two months from the date of receipt/production of a copy of this order.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

PNM

U			
---	--	--	--

