

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4920 of 2020

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Santosh Kumar Son of Dhruv Prasad, Resident of Village-Darpa Tola
Sukhalahiya, P.S.-Darpa, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary to Govt. of Bihar, Food and Consumer Protection Department,
Bihar, Patna.
3. The Collector of District cum Chairman, District Selection Committee, East
Champaran at Motihari.
4. The District Supply Officer, Food and Consumer Protection Departments
Office at Motihari.
5. The Sub-Divisional Officer, Raxaul, East Champaran.
6. Alok Kumar, Son of Ram Pravesh Thakur, Resident of Village-Pipara, P.S.-
Darpa, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Adv.
For the Respondent/s : Mr. S.Raza Ahmad (AAG5)

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

Date : 24-11-2022

Heard Mr. Binay Kant Mani Tripathi, learned counsel
for the petitioner and counsel for the State.

The petitioner has challenged the appointment of
respondent no.6 on the ground that he was way down in the merit
list as compared to the petitioner.

In view of the controversy raised and 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 direct that in the event of the petitioner making a suitable representation/complaint before the concerned Divisional Commissioner within a period of 15 days, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including Respondent No. 6, shall pass a final order within a further period of 30 days, giving reasons in support of the decision taken by him.

The order so passed by the authority shall be made available to the petitioner as well as the Respondent No. 6.

We have specifically asked Respondent No. 6 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

With the aforementioned observation/direction, the petition stands disposed of.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.11.2022
Transmission Date	

