

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5296 of 2020

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Umesh Singh @ Umesh Prasad Singh Son of Late Kesho Singh Resident of
Village- Mohanpur, Post and Panchayat- Thuthi, Police Station- Chautham,
District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Commissioner, Munger Division, Munger.
3. The District Magistrate, Khagaria.
4. The Sub-Divisional Officer, District- Khagaria.
5. The Assistant District Supply Officer, Khagaria.
6. The Block Supply Officer, Chautham, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (SC 4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 24-11-2022 Heard the learned counsel for the petitioner

and the State.

The writ petitioner, the licensee of the Public

Distribution System (Control) Order, 2001, died during

the pendency of this petition.



An attempt has been made by the learned counsel for the petitioner to have him substituted by his legal heirs, the details of whom have been provided in the Interlocutory Application No. 01 of 2021. However, considering the fact position of this case, where even if the substituted heirs succeed in getting the order of cancellation quashed, it would not inure any benefit to them, as provisions of Rule 10 of the Bihar Targeted Public Distribution System (Control) Order, 2016 for grant of licence on compassionate ground would not apply to the cases of the substituted heirs.

After having heard this, the learned counsel for the petitioner does not press the I.A. No. 01 of 2021 or the petition, but seeks an observation that in case fresh advertisement is issued for filling up the position and anyone of the proposed petitioners would apply, the fact that the licence of Late Mr. Umesh Singh @ Umesh Prasad Singh was cancelled, would not come in the way of their consideration for grant of licence.



The petition is dismissed as withdrawn with
the afore-noted observation.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

HR/-Mahesh

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