

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7867 of 2019

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Sangeeta Kumari W/o Subodh Kumar Resident of Village-Bhatgama, P.S.-
Chaura, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Madhepura, Bihar.
2. The Collector, Madhepura, Bihar Cum Chairman District Level Selection Committee, Madhepura.
3. The District Supply Officer, Madhepura
4. The Sub Divisional Officer, Udakishanganj, Madhepura
5. The Block Supply Officer, Chausa, Udakishanganj, District-Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava
For the Respondent/s : Mr.S. Raza Ahmad (Aag5)

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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 : 28-09-2022

1. Heard Mr. Sanjeev Kumar, learned Advocate for the
petitioner and Mr. Alok Ranjan, for the State.

2. The claim of the petitioner for grant of PDS licence
has been rejected on the ground that some other dealer is
already operating the Public Distribution Shop in the area.

3. The learned counsel for the petitioner submits that
when this was objected to and complaint was made before the



concerned District Magistrate, the matter was referred to the Block Development Officer, Kumarkhand for further inquiry.

4. The learned counsel for the petitioner has drawn the attention of this Court to Annexure 4 to the writ petition which is the report of the Block Development Officer, Kumarkhand, who has opined that the statement of the petitioner is correct that for the last 20 years, there is no dealer in the ward for which the petitioner had applied for grant of licence.

5. In that view of the matter, it has been urged on behalf of the petitioner that the averments made in the counter affidavit is absolutely incorrect.

6. Considering the afore-noted fact as also in view of the notification dated. 21.07.2022, this Court deems it appropriate to direct the petitioner to make a suitable representation/complaint before the concerned Divisional Commissioner within a period of 30 days, when he shall look into the matter and after hearing all the stakeholders including one Rachna Kumari whose reference has been taken in the counter affidavit and all other stakeholders and shall pass a final order



within a further period of 90 days giving reasons in support of the decision taken by him.

7. The order so passed by the authority shall be made available to all concern including the petitioner forthwith.

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

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

SKM/uttam/-

AFR/NAFR	NAFR
CAV DATE	N/A
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