

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5612 of 2022

=====

Madhuri Kumari @ Madhuri Devi, W/o Sanjay Sah, Resident of Village -
Ward No. 05, Raghapur, P.S.- Meenapur, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The District Level Committee through the District Magistrate, Muzaffarpur.
4. The Sub Divisional Officer, East Muzaffarpur.
5. Babita Kumari, W/O Ajay Kumar, R/o Village - Methnapur, P.S. - Meenapur, District - Muzaffarpur, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. N.K Agarwal, Sr. Adv Mr. Prashant Kumar Ms. Pretty Kumar Adv
For the Respondent/s	:	Mr. Sanjeev Kumar Mr. Arvind Kumar
For the State	:	Mr. Anisul Haque, AC to AAG- 5

=====

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

Date : 22-09-2022

Heard Mr. N. K. Agarwal, learned Senior Advocate for
the petitioner; Mr. Sanjiv Kumar, for Respondent No. 5; and
Mr. Anisul Haque, for the State.

On the complaint made by the Respondent No. 5 before
the District Selection Committee that she was wrongly non-
suited from consideration for grant of licence on the ground of



her cousin being a licensee from before, the licence of the petitioner was cancelled and Respondent No. 5 was granted the licence to run the PDS shop by order dated 21.07.2022.

Notice was issued to Respondent No. 5 and the order passed by the District Selection Authority on 16.06.2022 cancelling the licence of the petitioner and granting licence to Respondent No. 5 was stayed till the next date.

In view of the notification dated 21.07.2022, issued by the Government of Bihar, we direct the petitioner and the Respondent No. 5 to appear 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 i.e., petitioner, Respondent No. 5 or any other person/persons interested, shall pass a final order within a further period of 60 days, giving reason in support of the decision taken by him.

The Divisional Commissioner is directed to maintain the time line provided by this Court.



Needless to state that the averments made by the parties shall be taken into account and a reasoned order shall be passed.

Till such time a final order is passed, the status-quo shall continue.

The writ petitioner stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Skm/uttam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.09.2022
Transmission Date	N/A

