

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9899 of 2021

Md. Naushad Azam son of Md. Abdul Shakur resident of village Phenhra,
Ward No. 11, P.S. Phenhara, District East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Food and Consumer Protection, Department Government of Bihar, Patna.
2. The District Magistrate, Motihar, East Champaran-cum-Chairman District Selection Committee, Motihari.
3. The S.D.O. Pakaridayal, East Champaran cum- Member D.S.C., Motihari.
4. The District Supply Officer, Motihar, East Champaran - cum - member, D.S.C. Motihari.
5. The Senior Deputy Collector, Motihari - cum - member D.S.C. Motihari, East Champaran.
6. The S.D.O. Kesariya, Areraj, Sikarhana, Raxaul cum- Member D.S.C. Motihari.
7. Amit Kumar son of Bindeshwari Prasad resident of village Phenhara, Ward No. 9, P.S. Phenhara, District East Champaran, Motihari.
8. Md. Ishrail Haq Ansari son of Md. Anwarul Haq resident of village, Phenhara, Ward No. 10, P.S. Phenhara, District East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (A.A.G. 5)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 19-01-2022 Petitioner has prayed for the following relief(s):

“That this is an application for issuance of



appropriate writ, order or direction to set aside the order of granting licence to P.D.S. system of Block Phenara, Anumandal Pakaridayal Penhara dated 22.10.2020 by which passed by District Magistrate, Motihari East Champaran (Respondent No.2) supply Case No.31/2019 has been granting for P.D.S. licence in Phenara Panchayat through he has lesser mark in Matric of the private respondent and Roster is not followed by the District Selection Committee (Respondent No.2) and for the grant of all consequential benefit.”

Learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the Appeal/Revision to be filed within a period of four weeks along with a copy of this order, within a period of three months from the date of its filing.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available



in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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