

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6496 of 2022

Chandani Kumari W/o Gopal Kumar, Resident of Village- Deepnagar, Gram
Panchayat- Meghi, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector-cum- Chairman, District Level Selection Committee, Nalanda at Biharsharif.
3. The Collector-cum- District Magistrate, Nalanda at Biharsharif.
4. The Sub- Divisional Officer, Biharsharif, District- Nalanda.
5. Anupam Kumari W/o Rohit Raj, Resident of Village- Deepnagar, Gram Panchayat- Meghi, P.S.- Deepnagar, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjaya Nath Tiwari, Adv.
For the State	:	Mr. Alok Ranjan, AC to AAG5
For the Resp. No.5	:	Mr. Sudama Singh, Adv.

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

Date : 30-09-2022

Heard Mr. Dhananjaya Nath Tiwari, learned advocate
for the petitioner, Mr. Alok Ranjan for the State and Mr. Sudama
Singh for the private respondent no.5.

The petitioner has challenged the grant of license under
the PDS scheme to the private respondent no.5 on the ground
that the petitioner is older to her and as respondent no.5, she is
also educated and computer literate.

Apart from this, the petitioner is also enrolled with the
employment exchange, meaning thereby, that she is unemployed.



In view of the notification dated 21.07.2022 issued by the Government in exercise of the powers conferred under Section 3 & 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 30 days, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including the respondent no.5, shall pass a final order within a period of 60 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.5.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.09.2022
Transmission Date	

