

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6757 of 2022**

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Rina Kumari W/o Raj Narayan Bhagat. Resident of Village-Panchayat and P.O.-Chhitarauli, P.S.-Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. That District Level Selection Committee through its Chairman Cum Collector, Muzaffarpur.
3. That District Supply officer, Muzaffarpur.
4. The Sub Divisional Magistrate, West, Muzaffarpur
5. The Block Supply Officer, Kudhani
6. Soni Kumari W/o Chandan Roy Resident of Village and Panchayat and P.O.-Chhitarauli, P.S.-Maniyari, District-Muzaffarpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shankar Kishore Shahi, Adv.  
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 : 30-09-2022**

Mr. Shankar Kishore Shahi, learned advocate for the petitioner has pointed out that the private respondent no.6 has wrongly been granted license notwithstanding the fact that she did not offer any proof of her being computer literate and was



declared to be unfit for being granted license by the District Selection Committee.

The petitioner was placed at serial no.1 who was eligible in all respect for grant of license under the PDS Scheme.

For the aforementioned reasons and 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 15 days, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including the respondent no.6, shall pass a final order within a period of 60 days, giving reasons in support of the decision taken by him.

We reiterate that the private respondent no.6 ought to be heard as the present order has been passed in her absence.



The order so passed by the authority shall be made available to the petitioner as well as the respondent no.6.

The writ petition stands disposed of accordingly.

**(Ashutosh Kumar, J)**

**( Jitendra Kumar, J)**

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| CAV DATE          | NA         |
| Uploading Date    | 30.09.2022 |
| Transmission Date |            |

