

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9610 of 2019

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Munni Kumari, Wife of Manoj Kumar Roy, Resident of Village, P.O. and P.S.
Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The District Supply Officer, Muzaffarpur.
4. The Sub Divisional Officer (West) Muzaffarpur.
5. Santi Kumari, Wife of Manish Kumar, Resident of Village and P.O. and P.S. Kudhani, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC 4

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

Date : 20-12-2022

Heard Mr. Nachiketa Jha, learned Advocate for
the petitioner and Mr. Upendra Pratap Singh for the State.

The petitioner has questioned the grant of license
to respondent no. 5, even though she had not enclosed her
computer eligibility certificate along with her application
form for being considered for grant of license.



Even otherwise, learned counsel for the petitioner submits that her candidature is better than respondent no. 5 in all respects.

In view of the controversy raised herein and in view of the notification dated 21.07.2022 issued by the Government in exercise of the powers conferred under Sections 3 and 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 Respondent No. 5, shall pass a final order within a further 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.



We have specifically asked Respondent No. 5 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.12.2022
Transmission Date	

