

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7159 of 2022

Gyanti Yadav W/o Prabhat Chandra Kumar R/o Kala Diyara, P.S.- Salimpur,
Dist- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Civil Supply
Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Barh, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Adv.
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC\$

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

Date : 11-11-2022

Heard Mr. Vishal Vikram Rana, learned advocate

for the petitioner and Mr. Upendra Pratap Singh for the State.

In the instant writ petition, the petitioner prays for
issuance of PDS license to her in view of the merit list dated
30.10.2017 issued from the office of District Magistrate, Patna
whereby she got selected from the backward quota bearing
roaster no.421 of the same.



Learned counsel for the petitioner submits that altogether five candidates were selected for respective PDS shops including the petitioner but, on 16.11.2017, only two candidates from E.B.C. and Harijan quota were called for document verification and were subsequently issued license but rest of the three individuals including the petitioner were left out without any reason whatsoever.

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, shall pass a final order within a further period of 90 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.



With the aforestated observation and direction, the writ petition stands disposed.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.11.2022
Transmission Date	

