

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11874 of 2021

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Sanyukta Devi, Wife of Prem Kumar, Resident of Village- Karan, P.S.-
Baghaila, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Level Selection Committee, Rohtas at Sasaram through its Chairman.
3. The District Magistrate, Rohtas at Sasaram.
4. The District Supply Officer, Rohtas at Sasaram.
5. The Sub-Divisional Officer, Sasaram, District- Rohtas.
6. Renu Devi W/o Abhay Kumar Singh, Resident of Village- Chanki, P.O.- Pachpokhari, P.S.- Baghaila, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chhote Lal Mishra, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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Date : 12-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



1. *That for setting aside and quashing the order dt. 17.1.2021 and order dated 30.1.2021 passed by District Selection Committee, Rohtas at Sasaram to the extent of the petitioner only whereby and whereunder the selection recommendation of the petitioner as she was first impanel candidate in Chanki Panchayat under Backward category female for grant of PDS license was discard and wrongly been cancelled and her place private Respondent No. 6 has been appointed.*

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer revision against the impugned order before the Revisional Authority.

Permission granted.

Learned counsel for the respondents states that if such revision is preferred within a period of four weeks from today, the issue of limitation shall neither be raised nor allowed to come in the way of adjudication of the revision on merits.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner is permitted to prefer revision within a period of four weeks from today;

(b) In the event of revision being preferred within a



period of four weeks from today, the issue of limitation shall not come in the way of adjudication of the revision on merits;

(c) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Revisional Authority shall decide the revision on merits, in compliance of the principles of natural justice;

(f) The Revisional Authority shall pass a reasoned and speaking order within a period of eight weeks from the date of filing of the revision, copy whereof be supplied to the parties;

(g) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(h) 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;

(i) We have not expressed any opinion on merits and all issues are left open;



(j) If necessary, proceedings during the time of current Pandemic [Covid-19] would be conducted through digital mode;

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	14.01.2022
Transmission Date	

