

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8695 of 2019

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Lata Kumari wife of Dev Kumar resident of Village Barahi, Ward No. 4, P.O.-
Hasanpur, P.S. and District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. Collector-cum- District Supply Officer, Madhepura.
3. Sub Divisional Magistrate-cum-Assistant District Supply Officer, Madhepura.
4. Block Supply Officer-cum- Supply Inspector, District- Madhepura.
5. Nilam Rani wife of Ramchandra Thakur resident of Village Barahi, Ward No. 7, P.S. and District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Mukund
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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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: 05-12-2022

Heard the learned counsel for the petitioner
and the State.

The petitioner has challenged the decision of
the respondent in granting licence to respondent no. 5,



even though she does not qualify for the same.

In view of the afore-noted controversy raised by the petitioner and also in the light of 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 if a suitable complaint/representation is made within a period of 30 days before the Divisional Commissioner, he 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 reason 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 respondent no. 5 forthwith.

We have specifically asked respondent no. 5 to be heard by the Divisional Commissioner as the



present order is being passed in her absence.

The writ petition stands disposed of
accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

HR/Sonali/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2022
Transmission Date	NA

