

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14019 of 2021

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Surendra Kumar Ram, Son of Kashi Ram, Resident of Village Neharua
Khurd, P.O. Bhathawa Bazar, P.S. Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food, Supply and Commerce Department, Government of Bihar, Patna.
2. The Joint Secretary, Food, Supply and Commerce Department, Government of Bihar, Patna.
3. The Commissioner, Saran Division, Chhapra.
4. The Chairman, District Level Selection Committee (Supply), Gopalganj.
5. The Collector -cum-District Magistrate, Gopalganj.
6. The District Supply Officer, Gopalganj.
7. The Sub-Divisional Officer Hathua, District Gopalganj.
8. The Block Supply Officer-cum-Marketing Officer, Panchdeori, District - Gopalganj.
9. Kajal Kumar, Wife of Ashutosh Pandey, Resident of Village and P.O. - Bhathawa Bazar, P.S. Kateya, District Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Naresh Prasad, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal (SC-4)
		Mr. Ranjit Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 25-03-2022 The petitioner has put to challenge selection of Respondent No. 9 for grant of licence to run a PDS shop under Bihar Targeted Public Distribution System (Control) Order, 2016 for Majhwalia Gram Panchayat in the district of Gopalganj.



It is the petitioner's case that though he had better merit than Respondent No. 9, ignoring his claim, Respondent No. 9 has been granted the licence. It is an admitted position that the petitioner has not invoked the appellate provision under Rule 32(iii) of the Control Order, 2016.

In such view of the matter, this application is disposed of with a liberty to the petitioner to invoke the said provision before appropriate/ statutory authority. If any appeal is preferred within four weeks from today with an application seeking condonation of delay in preferring the appeal, the same shall be decided by the Appellate Authority on merits after condoning the delay, keeping in mind that the petitioner was pursuing his remedy before this Court by filing the present writ application. The Appellate Authority shall be obliged to dispose of the petitioner's appeal within the time frame prescribed under the Control Order, 2016.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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