

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10604 of 2020

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Suman Chauhan, W/o Shri Ganesh Prasad R/o-Vill- Manikpur, P.S. and District- Gopalganj

... .. Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj.
3. The Sub Divisional Officer, Gopalganj
4. The Block Supply Officer, Gopalganj
5. Assistant Supply Officer, Gopalganj.
6. Kavita Kumari, W/o Triloki Kumar, R/o Vill- Manikpur, P.S. and District -Gopalganj

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Srivastava, Adv.
For the Respondents : Mr. S. Raza Ahmad AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

Date : 11-01-2022

This case has been taken up for online hearing through video-conference because of COVID-19 pandemic restrictions.

2. The petitioner in the present writ application has questioned the legality of the process of selection for grant of license to run a fair price shop under the Public Distribution System in favour of respondent No.6. In the merit list prepared, respondent No.6 has been placed at serial No. 1.

3. It is the petitioner's case that she being the daughter-



in-law of *Sarpanch* of Kutchery Manikpur village, undue favour has been shown to her by placing her at the first position in the merit list. The petitioner is said to have filed a representation in this regard before the District Magistrate, Gopalganj which has been brought on record by way of Annexure-4 to the writ application. In response to a query made by this Court as to whether a license has, in fact, been granted in favour of the said respondent No.6 or not, the learned counsel for the petitioner has expressed his inability in the absence of any specific instructions.

4. Be that as it may, considering the fact that the petitioner has remedy by way of approaching higher authorities against selection/non-selection of a candidate for grant of license under Bihar Targeted Public Distribution System (Control) Order, 2016 (for short 'the Control Order, 2016') learned counsel for the petitioner seeks permission to withdraw this application with a liberty to approach appropriate /statutory authority for redressal of his grievances.

5. This application stands disposed of with the liberty as aforesaid.

6. If the petitioner makes any application and a question of limitation arises, the petitioner shall be at liberty to take a



plea that he was pursuing his remedy before this Court by filing present writ application and the concerned authority shall be obliged to duly consider the same and decide the case on merits. If any appeal is filed within four weeks from today, it is expected that the appropriate authority shall expedite disposal of the petitioner's representation/appeal after hearing the necessary parties.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

