

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14336 of 2021

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Urmila Devi Wife of Late Pramod Kumar, resident of Mohalla-Koat Bazar,
Ward No. 12, P.S.-Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate Sitamarhi, District-Sitamarhi.
3. That District Supply Officer, Sitamarhi, District-Sitamarhi.
4. The Sub Divisional Officer-cum-Licensing Authority Sitamarhi Sadar, District-Sitamarhi.
5. The Block Supply Officer, Block-Dumra, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, 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)

(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.)

Date : 17-01-2022

Heard learned counsel for the parties.

Learned counsel for the petitioner prays for the

following relief(s):-

- (i) To quash the order dated 15.11.2017 passed by District Selection Committee under Chairmanship of District Magistrate, Sitamarhi (Respondent No. 2) who has rejected the application of petitioner for grant P. D. S license to the petitioner on compassionate ground.
(Annexure- 4)



- (ii) To direct the respondent No. 2 to reconsider the application of petitioner for grant of P D S license on compassionate ground in accordance with law.
- (iii) To pass any other appropriate order / orders as your lordship may deem fit and proper for the end of justice.

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 initiate an appropriate proceedings under the provisions of the Essential Commodities Act.

Permission granted.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such proceeding is initiated before the appropriate authority within the aforesaid period, limitation shall not come in the way and the same shall be heard on merits, to be decided within a period of three months from the date of its filing.

We only hope and expect the appropriate authority to consider and decide the issue on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on facts and law. All issues are left open.



Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.01.2022
Transmission Date	

