

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10853 of 2020

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Rani Sharma Wife of Late Niraj Kumar Resident of Village-Chiraiya Tar Devi
Asthan, Janta Path Gali, P.S. Kankarbagh, P.O. G.P.O., District Patna-800001

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The District Magistrate, Patna.
3. Sub-Divisional Officer-Cum-Appellate Authority, Patna Sadar, Patna.
4. District Supply Officer-Cum-Public Grievance Redressal Officer, Patna Sadar, Patna,
5. Assistant District Supply Officer, Patna Sadar, Patna,
6. Block Supply Officer, Patna Sadar, Patna,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5
Mr. Alok Ranjan, AC to AAG-5

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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)

4 20-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

This writ application has been filed seeking quashing of an order dated 30.05.2019, passed by the Additional Collector-cum-First Appellate Authority (Public Grievance Cell) in Appeal No. 528210108121802316/1A, whereby the petitioner's appeal against the order passed by the Sub-



Divisional Public Grievance Redressal Officer under the Bihar Right to Public Grievance Redressal Act, 2015, in Complaint Case No. 528210108121802316/1A, has been rejected.

The petitioner claims to be the daughter-in-law of one Ram Kumar Sharma who was a licensee under Bihar Targeted Public Distribution System (Control) Order, 2016 (hereinafter referred to as '(Control) Order, 2016'). He died on 04.07.2016.

There is provision for grant of licence under the (Control) Order, 2016, on compassionate ground if any application is made by a member of the family in accordance with Rule 10 of the (Control) Order, 2016. There are, inter alia, two main conditions for grant of licence on compassionate basis, i.e., the licensee should be less than 58 years of age on the date of his death and the application seeking grant of licence on compassionate ground must be made within two years.

The petitioner is said to have approached the authorities under Bihar Right to Public Grievance Redressal Act, 2015.

As has been noticed, her application was rejected by the Sub-Divisional Public Grievance Redressal Officer on the ground that she made her application more than two years after the death of the licensee on 08.12.2018. The Appellate Authority



for the said reason, rejected the petitioner's appeal.

Learned counsel appearing on behalf of the petitioner has assailed the aforesaid two orders mainly on the ground that the petitioner had, in fact, filed her application on 15.12.2017.

On perusal of the pleadings on record, we do not find any application dated 15.12.2017 said to have been filed by the petitioner seeking grant of licence on compassionate basis. There is no clear statement made in the writ petition as to when the application was filed.

From perusal of the representation filed by the petitioner before the District Magistrate, Patna, a copy of which has been brought on record by way of Annexure-P/6, it appears that the petitioner herself admitted delay in filing of application for grant of licence.

In such circumstance, we do not find any case being made out for interference. We do not find any merit in this writ application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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