

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15194 of 2021

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1. Bablu Kumar Son of Gopal Mahto Resident of Village- Belauni, P.S.- Korma, District- Sheikhpura.
 2. Hema Rani @ Hema Kumari Wife of Bablu Kumar and Daughter of Sakaldeo Mahto Resident of Village- Belauni, P.S.- Korma, District- Sheikhpura.

... .. Petitioners

Versus

1. The State of Bihar through the District Magistrate cum Collector, Sheikhpura.
2. The District Supply Officer, Sheikhpura.
3. The Sub-Divisional Officer, Sheikhpura.
4. The Sub-Divisional Supply Officer, Sheikhpura.
5. The Block Supply Officer, Ghat Kusumbha, District- Sheikhpura.

... .. Respondents

Appearance :

For the Petitioners : Mr.Bharat Lal
For the Respondents : Mr.Arvind Ujjwal (Sc4)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

5 06-05-2022 Petitioner No.2 is the wife of petitioner No.1.

Petitioner No. 1 holds a license to run a fair price shop for village Belauni under Gram Panchayat Gagaur in the district of Sheikhpura. The petitioners have filed the present writ application seeking direction to the respondents to transfer the said licence in the name of petitioner No.1 to petitioner No.2.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner No.1 is not keeping good health



and, therefore, the license may be directed to be transferred in the name of petitioner No.2.

The licence has been granted to the petitioner No.1 under Bihar Targetted Public Distribution System (Control) Order, 2016, Clause 16 of which prohibits transfer of licence. Clause 16 of the Control Order reads as under: -

“16. Transfer of license. - A fair price shop license shall not be transferred in the name of any member of a family or of any other person. No partnership shall be allowed in a fair price shop or in its license.”

There being specific proscription under Clause 16 of the Control Order, the reliefs, which the petitioners are seeking, cannot be granted.

This application is devoid of any merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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