

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15856 of 2021

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Simpi Kumari, Wife of Upendra Kumar, resident of Vilage-Deokali, P.S.-
Manpur, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Patna.
3. The District Magistrate-cum-Chairman, Selection Committee, Nalanda.
4. The Deputy Development Commissioner, Nalanda.
5. The District Supply Officer, Nalanda.
6. The Sub-Divisional Officer, Biharsharif, District-Nalanda.
7. Md. Akil Ahmad Khan, resident of Village-Palatpura, P.S.-Manpur, District-Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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**(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 : 20-01-2022

The petitioner has prayed for the following relief/s :-

“(i) For issuance of any appropriate writ or writs, rule or directions, especially in the nature of certiorari, quashing the part order with regard to selection of private respondent no. 7 for the post of P.D.S. dealer against the roster point no. 263 in Patalpura Gram Panchayat under the block of Biharsharif, District - Nalanda, decided and passed on 25.6.2020 issued under the signature and chairmanship of the learned District Magistrate, Nalanda (Annexure-2).

(ii) For issuance of any appropriate writ or writs, rule or direction especially in the nature of mandamus, directing the respondent District Magistrate, Nalanda to make proper enquiry with regard to basic qualification knowledge of computer, reservation category upon which private respondent no. 7 has been illegally selected for issuance of P. D. S license under the block of Biharsharif and after found the same fake , be please to further make selection to the petitioner as per her entitlement.

(iii) For issuance of any appropriate



writ of writs, order or orders, Rule or direction as your lordship may deem fit and proper to the facts and circumstances of the case as well as for which the petitioner may be found entitled there too.”

After the matter was heard for some time, learned counsel for the petitioner does not want to press the present petition reserving liberty to file appeal before the appropriate authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such appeal is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the appeal 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 appeal 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)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

