

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16753 of 2021

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Neha Kumari, female, aged about 23 years, Wife of Shri Rakesh Kumar, resident of Bairakh Koshkapur, Ward No. 8, Koshkapur South, Block: Raniganj, District: Araria - 854334, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Government of Bihar, Patna.
2. The District Magistrate, Araria.
3. The Sub Divisional Officer, Araria.
4. The Sub Divisional Officer, Forbeasganj, District: Araria.
5. The District Supply Officer, Araria.
6. Smt. Sanjana Kumari, female, Wife of Shri Naveen Kumar, Resident of Bairakh Koshkapur, Ward No. 8, Koshkapur South, Block: Raniganj, District: Araria - 854334, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Adv.

Mr. Sanjay Kumar Sharma, Adv.

Ms. Siddhi Aashana, Adv.

For the State : Mr. Upendra Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 22-09-2022



Heard the learned counsel for the parties.

2. The grievance of the petitioner can well be redressed by the Divisional Commissioner, who has been authorized to hear all such disputes regarding selection of the P.D.S. licensees *vide* notification dated 21.07.2022 issued by the Government in exercise of the powers conferred under Sections 3 and 5 of the Essential Commodities Act, 1955 read with Clause 36 of the Bihar Targeted Public Distribution System (Control) Order, 2016.

3. Should the petitioner approach the Divisional Commissioner with a suitable representation/complaint within a period of fifteen days, he shall look into the matter and after giving hearing to all the concerned parties, including private respondent No. 6, shall pass a final order within a further period of sixty days, giving reasons in support of the decision taken by him.

4. The order so passed by the Divisional



Commissioner shall be made available to the petitioner as well as private respondent No. 6 forthwith.

5. We have specifically asked private respondent No. 6 to be heard by the Divisional Commissioner as the present order is being passed in her absence.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	26/09/2022
Transmission Date	N/A

