

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17164 of 2021

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Bikash Kumar @ Vikash Kumar Son of Late Jitendra Kumar @ Subhash Chandra Singh @ Subhash Yadav, Resident of Village - Sarwarpur, P.S.- Mehendiya, District - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Arwal.
2. The Sub-Divisional Officer, Arwal, District - Arwal.
3. The Block Supply Officer, Kaler, District - Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate Mr. Manoj Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Lalit Kishore (Ag)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 22-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

- (i) For issuance of writ in the nature of mandamus commanding and directing the Respondents authority to issue/grant licence of PDS Dealer to the petitioner on the basis of compassionate ground as the father of the petitioner was a licensee of PDS Dealer under the Panchayat Belsar, District Arwal bearing Licence No. 89/2007 has died on 22.1.2011.

- (ii) For further direction to the Respondents authority to take final decision of the application filed by the petitioner for appointment of PDS Dealer on the basis of compassionate ground as his father was licensee of PDS Dealer has died in the year 2011.
- (iii) For further direction to the Respondent authority to take final decision with regard to issuance of licence of PDS Dealer to the petitioner is pending before the authority since 2019 and disposed of the application filed by the petitioner by reasoned and speaking order within time framed.
- (iv) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.

It has been submitted by learned Sr. counsel for the petitioner that application of the petitioner for appointment of PDS dealer on the basis of compassionate ground is pending before the Sub-Divisional Officer since the year 2019 and no decision has been taken up by the Sub-Divisional Officer-cum-Licensing Authority and neither his case has been put up before

the District Level Selection Committee for his appointment as PDS dealer on compassionate ground under Clause 10 of Bihar Targeted Distribution System Control Order, 2016.

Writ petition is disposed of with a direction to the District Level Selection Committee under the Chairmanship of District Magistrate to consider the application filed by the petitioner for his appointment as a PDS dealer on compassionate ground.

It is made clear that this Court has not expressed any opinion on the merit of the claim of petitioner and same is to be considered and decided by the Selection Committee on its own merit within three months from the date of receipt/production of a copy of order passed by this Court.

With aforesaid observations and direction, this writ petition stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.01.2022
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