

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16804 of 2021

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Vivek Kumar Thakur Son of Brij Kishore Thakur Resident of Village-
Dahibhata, P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Level Selection Committee, Gopalganj through its Chairman the District Magistrate, Gopalganj.
4. The Sub- Divisional Officer, Hathua, District- Gopalganj.
5. The District Supply Officer, Gopalganj.
6. The Block Supply Officer, Uchakagaon Block, District- Gopalganj.
7. Nitesh Kumar Yadav Son of Surendra Yadav resident of Village- Dahibhata, P.S. Uchakagaon, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

4 22-09-2022 Heard the learned counsel for the petitioner and

the learned counsel for the State.

The appointment of private respondent no. 7 has



been challenged by the petitioner, who claims to be a more suitable candidate as his qualification is more than the private respondent no. 7.

Since the issue is with respect to selection of a candidate as a dealer /licensee and in view of the 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, we direct that in the event of the petitioner making a suitable representation / complaint before the concerned Divisional Commissioner within a period of 15 days, he shall look into the matter and after hearing all the stakeholders, including respondent no. 7, shall pass a final order within a further period of 60 days, giving reasons in support of the decision taken by him.

The order so passed by the authority shall be made available to the petitioner as well as respondent no. 7 forthwith.

We have specifically asked respondent no. 7 to



be heard by the Divisional Commissioner as the present order is being passed in his absence.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Jitendra Kumar, J)

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