

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16867 of 2021

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Bebi Kumari daughter of- Meghnath Ram, wife of- Manjeet Kumar Ram
resident of Village- Matuli, P.S.- Bikramganj, District- Rohtas, at present
resident of Village- Madura, P.O.- Sahangi, P.S.- Gorahani, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Civil Supply,
Govt. of Bihar Patna.
2. The District Magistrate Bhojpur at Ara.
3. The Sub Divisional Officer Sadar Ara District Bhojpur.
4. The Puja Kumari female age about- 30 years wife of Mauj Kumar Singh @
Dharmendar Singh, resident of Village- Madura, P.O.- Sahangi, P.S.-
Garahani, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
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 petitioner has challenged the grant of license

to private respondent no. 4 on the ground that many of his

family members are in Government service, thereby



making her ineligible for being considered for grant of license under Public Distribution System.

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. 4, 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. 4 forthwith.

We have specifically asked for respondent no. 4 to be heard by the Divisional Commissioner as the present order is being passed in her absence.



The writ petition stands disposed of accordingly

(Ashutosh Kumar, J)

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(Jitendra Kumar, J)

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