

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 16907 of 2021

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Smt Madhuri Devi wife of Sri Rajiv Kumar Dwivedi resident of Village-
Shyampur, Police Station- Mohmmadpur, Block- Baikunthpur, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supplies
Department, Government of Bihar.
2. The District Magistrate-cum- Chairman of Compassionate Appointment
Committee, Gopalganj.
3. The District Supply Officer, Gopalganj.
4. The Sub Divisional Officer, Gopalganj.
5. The Sub Divisional Officer, Hathwa.
6. The District Co-operative Officer, Gopalganj.
7. The District Project Officer, Gopalganj.
8. The District Account Officer, Gopalganj.
9. The Block Supply Officer, Sidhwalia, Baikunthpur, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Arun Kumar Singh, Advocate
For the Respondent/s : Mr S Raza Ahmad, AAG V

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CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

Date : 22-04-2022

This case has been taken up for online hearing through
video-conference because of COVID 19 pandemic restrictions.

2 Heard learned counsel for the petitioner and the
respondents.



3 The petitioner's claim to get a licence to run Public Distribution System shop on compassionate ground under the provisions of Bihar Targeted Public Distribution System (for brevity, *BTPDS*) (Control) Order, 2016 has been rejected by the Sub Divisional Officer, Gopalganj, mainly on two grounds. Firstly, the petitioner is a married daughter of the deceased-licensee and secondly, the age of the deceased-licensee was above 58 years.

4 Clause 10 of the *BTPDS* (Control) Order, 2016 contemplates grant of fair price shop licence on compassionate ground in case of death of a fair price shop's licensee under the age of 58 years to his/her wife/husband, son, unmarried daughter, daughter-in-law and widow of his/her son. The petitioner does not dispute that she is married daughter of the deceased-licensee. The impugned order specifically mentions that the age of the deceased-licensee was more than 58 years.

5 In such circumstance, in our opinion, the petitioner has not been able to make out any case for interference with the impugned order, it being an admitted fact that petitioner does not fulfill the requisite condition for grant of licence on compassionate ground.



6 This application, in our opinion, has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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