

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13086 of 2022

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Ajit Kumar son of Late Ram Prasad Singh R/o South Chandmari Road Ward No. 31, P.S. Kankerbagh, P.O. Lohianagar, Anumandal - Patna Sadar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar.
2. The Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Selection Committee, Patna through President, District Magistrate, Patna.
5. Sub-Divisional Officer, Patna, Sadar, Patna.
6. The District Supply Officer, Patna.
7. The Assistant District Supply Officer, Patna, Sadar, Patna.
8. The Additional District Magistrate (District Supply Officer, (District Supply Officer, Patna).
9. Special Officer Rationing, Patna.
10. Gautam Kumar son of Babban Prasad , resident of Postal Park, road No. 1 P.S. Kankerbagh, P.O. G.P.O. District- Patna, Pin - 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lakshman Lal Pandey, Adv.
For the Respondent/s : Mr.S. Raza Ahmad (AAG 5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 11-11-2022

Heard Mr. Lakshman Lal Pandey, learned advocate

for the petitioner and counsel for the State.

The petitioner has challenged the decision of the District Selection Committee, rejecting the candidature of the



petitioner for grant of PDS license on the ground that the PDS license has already been granted to the wife of his brother namely Ratna Kumari, who is not a member of joint family but totally separate in mess and business.

Learned counsel for the petitioner submits that the name of the petitioner figures at serial no.1 in the list prepared under the signature of Sub-Divisional Officer, Patna, Sadar for Ward No.21 whereas, the private respondent no.10, whose name figured below the petitioner, has been selected as a licensee.

In view of the controversy raised and 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 30 days, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including Respondent No. 10, shall pass a



final order within a further period of 90 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 the Respondent No. 10.

We have specifically asked Respondent No. 10 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)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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