

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18227 of 2021

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Anil Kumar Kushwaha S/o Ramkripal Mahto, resident of Village - Shrinagar,
Ward No. 14, P.S.- Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Sitamarhi.
4. The District Supply Officer, Sitamarhi.
5. The Sub-Divisional Officer, Sadar, Sitamarhi.
6. The Block Development Officer, Majorganj, Sitamarhi.
7. The Block Supply Officer, Majorganj, Sitamarhi.
8. Soni Kumari, W/o Balbir Prasad, resident of Village - Marpa Sirpal, P.S.-
Mejorganj, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Singh
For the Respondent/s : Mr. Upendra Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 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. 8 on the ground that she has a

flour-mill and two of her family members are P.D.S.



dealers from before.

Since the matter is with respect to selection of a candidate as a dealer / licensee; thus 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. 8, 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. 8 forthwith.

We have specifically asked for respondent no. 8 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)

(Jitendra Kumar, J)

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