

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.871 of 2022

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Raushan Kumar Jha, Son of Sri Krishna Jha, Resident of Village - Aadawan
Ward No. 9, Panchayat Musachar, Block - Bairgania, P.S. - Bairgania District
– Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Food, Civil and Consumer Affairs, Bihar, Patna.
2. The Principal Secretary, Department of General Administration and Reform, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The Sub Division Officer, Sadar, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.

For the State : Mr. Upendra Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 27-04-2022

Heard Mr. Shashi Bushan Kumar, the

learned Advocate for the petitioner and Mr.



Upendra Pratap Singh, the learned counsel for the State.

2. The present petition is for issuance of a direction to the respondents for making amendments in Clause 10 of the Bihar Targeted Public Distribution System (Control) Order, 2016 *(in short the Control Order of 2016)* by adding the father and younger brother of the deceased unmarried licensee in the definition of dependents for the purposes of grant of P.D.S. license.

3. No such direction can be issued as this is in the domain of the State Legislature.

4. Nonetheless, if the petitioner is sanguine that the Control Order of 2016 in so far as it relates to Clause 10, which provides for compassionate grant of license to the relatives of a deceased licensee, necessary representations may be made before the Principal Secretary of the Department, who shall consider the desirability of suggesting to the authorities concerned for such



amendment. Beyond this, no direction could be given in this petition.

5. The writ petition stands disposed off accordingly.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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