

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18886 of 2018

Vijay Kumar, Son of Dinanath Ram, Resident of Village-Baruna Khurd P.S.-
Itarhi District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Buxar Dist.-Buxar.
3. District Supply Officer, Buxar Dist.-Buxar.
4. Sub Divisional Officer Buxar Dist.-Buxar.
5. Block Development Officer Itarhi, Buxar Dist.-Buxar.
6. Block Supply Officer, Itarhi, Buxar. Dist.-Buxar.
7. Pankaj Kumar Kamal @ Upendra Kumar, Son of Gudri, Ram Resident of
Village-Baruna, Post-Basudhar, P.S.-Itarhi Distirct-Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Respondent/s : Mr. Upendra Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 24-08-2022

Heard Mr. Bachan Jee Ojha, learned counsel for the
petitioner and Mr. Upendra Pratap Singh, for the State.



The petitioner has challenged the selection of Respondent No. 7 as a PDS Dealer on the ground of his having furnished forged certificates, thereby making the petitioner fall below in the list prepared by the District Selection Committee.

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 30 days, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including Respondent No. 7, 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. 7.



We have specifically asked Respondent No. 7 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)

(Jitendra Kumar, J)

skm/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.08.2022
Transmission Date	NA

