

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19043 of 2018

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Raju Kumar Son of Sri Mahendra Yadav, Resident of Village- Bramhottara,
P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Food and Civil Supplies,
Government of Bihar, Patna.
3. The Commissioner, Koshi Division, Saharsa.
4. The District Level Selection Committee through its Chairman, the District
Magistrate, Supaul.
5. The District Magistrate, Supaul.
6. The District Supply Officer-cum-Secretary, District Level Committee,
Supaul.
7. The Sub-Divisional Officer, Birpur, District- Supaul.
8. The Block Supply Officer, Raghapur, District- Supaul.
9. Mukesh Kumar, Son of Sri Maheshwari Yadav, Resident of Ward No.9,
Thalaha, Gram Panchayat- Champanagar, P.S.- Raghapur, District- Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amrit Abhijat, Adv.
For the Respondent/s	:	Mr. Upendra Pratap Singh, APP
For the Resp. No.9	:	Mr. Kamal Kishore Singh, Adv.

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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 : 02-12-2022

Heard Mr. Amrit Abhijat, learned advocate for the

petitioner, Mr. Kamal Kishore Singh for the respondent

no.9 and Mr. Upendra Pratap Singh for the State.



The petitioner has challenged the selection of respondent no.9 as a PDS Dealer on the ground of his having lower qualification of Diploma in Computer Application whereas the petitioner has higher degree of Advanced Diploma in Computer Application.

In view of the controversy raised herein and 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. 9, 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 the Respondent No. 9.

With the aforementioned observation/direction, the petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.12.2022
Transmission Date	

