

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.26 of 2020**

Manju Devi Wife of Ram Vilash Mahto, Resident of Village-Mirapur Tole  
Mohanpur, P.O.-Mirapur, Block-Muraul, Police Station-Sakra, District-  
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food Supply and Consumer Protection, Government of Bihar, Patna.
2. The Director, Food Supply and Consumer Protection, Government of Bihar, Patna.
3. The Commissioner, Tirhut Commissionery, Muzaffarpur.
4. The District Magistrate, Muzaffarpur.
5. The District Supply Officer, Muzaffarpur.
6. The Sub-Divisional Officer Muzaffarpur (East), District-Muzaffarpur.
7. The Block Development Officer, Block-Muraul, District-Muzaffarpur.
8. The Block Supply Officer, Block-Muraul, District-Muzaffarpur.
9. Pinki Kumari Wife of Ram Binay Kumar, Resident of Village-Mohammadpur, Gokhul, P.O.-Pilkhi, Police Station-Sakra, District-Muzaffarpur at Present Daughter of Late Ram Chandra Sahni, resident of Village-Dedaul, P.O.-Pilkhi, Police Station-Sakra, District-Muzaffarpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Jay Prakash Sharma  
For the Respondent/s : Mr. Upendra Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**and**  
**HONOURABLE MR. JUSTICE NAWNEET KUMAR**  
**PANDEY**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3      02-11-2022                      Heard Mr. Jay Prakash Sharma, the learned  
  
Advocate for the petitioner and Mr. Upendra Pratap Singh  
  
for the State.

The grievance of the petitioner is that despite



private respondent No. 9 not having been recommended for grant of license, she was granted license, to the exclusion of the petitioner, who actually had been recommended. Apart from this, several other anomalies have been pointed out by the petitioner in grant of license to respondent No. 9.

Considering the nature of dispute brought about by the petitioner, we deem it appropriate to refer the matter to the Divisional Commissioner of the concerned district in view of 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 for resolution of such dispute.

Should the petitioner file such a representation / complaint before the concerned Divisional Commissioner within a period of 30 days, he 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 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 respondent no. 9 forthwith.

We have specifically asked respondent no. 9 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)**

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**( Nawneet Kumar Pandey, J)**

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