

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2200 of 2020

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Samim Mansuri son of Vajir Miya resident of Village- Ward No. 07, Vijaypur,
P.S.- Valmikinagr, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Deptt.
Govt. of Bihar, Patna.
2. The District Magistrate, District- West Champaran at Bettiah.
3. The District Supply Officer, District- West Champaran.
4. Additional District Supply Officer, West Champaran.
5. The Sub- Divisional Officer, Bagaha, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr. Alok Ranjan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 18-11-2022 Heard Mr. Bimlesh Kumar Pandey, the learned

Advocate for the petitioner and Mr. Alok Ranjan, the

learned counsel for the State.

The petitioner initially had challenged the decision
of placing him 3rd in the merit list and raising objections
about his computer certificate which has been obtained
from Nepal. The other later objection which was raised
against his candidature was the difference in the projection



of the land and what was there in actuality. This objection referred to above was however resolved.

During the pendency of this writ petition, a person was placed below the petitioner in the merit list, namely Sikandar Ansari, who has not been made a party in this proceeding, has been granted license.

The petitioner is aggrieved by his exclusion from the consideration. According to him, he is the most suitable candidate who should have been granted the license.

Regard being had to the nature of controversy raised on behalf of the petitioner and in view of the notification of the Government 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, he shall look



into the matter and after hearing all the stakeholders including Sikandar Ansari, 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 aforesaid Sikandar Ansari, forthwith.

We have specifically asked aforesaid Sikandar Ansari 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)

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(Nawneet Kumar Pandey, J)

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