

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3607 of 2019

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Bachu Ansari, Son of Late Newaji Ansari Resident of Village- Jolgawan, P.S.-
Ghorasahan, Block- Bankatwa, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary, Department of Food and Supply, Govt. of Bihar, Patna
2. The District Magistrate, East Champaran
3. The Sub-Divisional Officer, Sikrahna at Dhaka District- East Champaran
4. The District Supply Officer, East Champaran, Motihari
5. The Block Development Officer, Bankatwa, Block District- East Champaran
6. Jamil Akhtar Son of Mujammil Alam Resident of Village- Jitpur, P.S.- Jitna, District- East Champaran
7. The District Level Selection Committee, East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman- Advocate
For the State : Mr. Alok Ranjan- Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

4 16-01-2023 Heard the learned counsel for the parties.

Mr. Anisur Rahman, the learned Advocate for the petitioner submits that private respondent no.6 has been selected as a licensee even though he does not have computer ability.

He further submits that on all fronts, the suitability of the petitioner is more than the private



respondent no.6.

In view of the nature of controversy raised by the petitioner with respect to his non-selection as a licensee 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 deem it appropriate to 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 respondent no. 6, 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 respondent no. 6 forthwith.



We have specifically asked respondent no. 6 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)

(Satyavrat Verma, J)

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