

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2543 of 2020**

Arvind Kumar Thakur S/o Ram Sudhar Thakur, R/o Village and Post  
Lakhanpur, P.S. Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Muzaffarpur.
2. District Supply Officer, Muzaffarpur.
3. The Licensing Officer cum SDO, Muzaffarpur East.
4. District Cooperative Officer, Muzaffarpur.
5. Block Development Officer, Block Katra, P.S. Katra, District-Muzaffarpur.
6. Smt. Rupam Priya, W/o Rakesh Kumar, R/o Village-Ajrakbay, Lakhanpur,  
Post-Lakhanpur, P.S. Katra, District-Muzaffarpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Advocate  
For the Respondent/s : Mr. S. Raza Ahmad (AAG5)

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**and**  
**HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)**

**Date: 07-02-2023**

Heard Mr. Md. Shahnawaz Ali, learned Advocate for the  
petitioner and counsel for the State.

The petitioner has challenged the selection of  
Respondent No. 6 as a PDS Dealer on the ground of her having  
obtained lesser marks and qualification along with computer  
efficiency than the petitioner, thereby making the respondent no.6  
fall below in the list prepared by the District Selection Committee.

Looking to the nature of controversy raised 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. 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 the Respondent No. 6.

We have specifically asked Respondent No. 6 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)**

**(Satyavrat Verma, J)**

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