

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1710 of 2023

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Md. Ishakh Son of Md. Yaqub Resident of Village- Ward No.- 2, Masina, P.S.-
Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Food and Public Distribution, New Delhi.
2. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The Licensing Authority-Cum-Sub Divisional Officer, Sadar, Samastipur.
6. The Block Supply Officer, Block- Khanpur, Samastipur.
7. Binod Kumar Singh Son of Late Gauri Singh Resident of Village- Jahangirpur Kothiya, P.S.- Khanpur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Chandra, Advocate
For the U.O.I.	:	Mr. Dr. K. N. Singh, ASG
For the State	:	Mr. S. Raja Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

Date : 25-04-2023

Heard learned counsel for the petitioner, learned counsel
for the State, as well as learned counsel for the Union of India.

2. Seeking direction upon the respondent-Authorities to



hold an inquiry into the alleged malpractice and irregularity in issuance of Ration Cards in fictitious name, the instant writ application has been filed as a Public Interest Litigation.

3. The petitioner's grievance is with reference to a particular dealer under the Public Distribution System (herein after referred to as 'the PDS') in the district of Samastipur, who has been impleaded as private party respondent No. 7. The petitioner has mentioned names of family members of certain Ration Card holders without impleading them as party.

4. The respondents in the counter affidavit has placed on record some action taken in this regard, including deletion of certain names of beneficiaries from the Ration Cards issued by the dealer in-question. They have submitted that the respondents are verifying the Ration Cards from time to time.

5. This Court, having considered the provisions of the Bihar Targeted Public Distribution System (Control) Order, 2016 (for brevity, 'the BTPDS (Control) Order, 2016') finds that the same provides for inspection of fair price shops and action to be taken against the licensee in the appropriate circumstances of violation of the terms of license or unfair practices being adopted by the licensee. Clause 20 of the the BTPDS (Control) Order, 2016 provides for periodic inspection



and Clause 25 the action against a licensee for certain circumstances, including in the event the dealer makes false entries in the BPL ration card(s). Taking note of the action taken in respect of the complaints raised by the petitioner and the provisions of the BTPDS (Control) Order, 2016 which contain adequate powers and provisions for dealing with any unfair practice being adopted by PDS dealers, this Court does not find any reason to keep the instant writ proceeding, by way of PIL, pending any further. The proceedings are hereby closed.

6. The writ petition is dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

rajkishore/-

AFR/NAFR	N/A
CAV DATE	N/A
Uploading Date	04.05.2023.
Transmission Date	N/A

