

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5383 of 2020

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Pinki Kumari W/o Manoj Kumar Rai Resident of Village- Shivdaha- 63, P.O.-
Barel Shivdaha, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub Divisional Officer, East, District- Muzaffarpur.
4. The District Supply Officer, Muzaffarpur.
5. The Block Supply Officer, Gaighat, District- Muzaffarpur.
6. Kavita Jha W/o Pankaj Jha Resident of Village- Shivdaha P.O.- Shivdaha, P.S.- Gaighat, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC 4

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

Date : 04-01-2023

Heard the learned Advocates for the parties.

The petitioner has challenged the grant of license to
the respondent No. 6 on several counts.

In view of the nature of controversy raised as also in
the light 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 thirty 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 sixty 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 his absence.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2023
Transmission Date	

