

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5017 of 2023**

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Rajnish Kumar, Son of Late Shobhakant Mandal, Resident of Village- Ranna,  
P.S.- Hathoury, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Sub- Divisional Officer, Rosara, District- Samastipur.
3. The Chairman-Cum- District Magistrate, District Level Selection Committee, District- Samastipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rajeev Kumar Labh, Adv.  
For the Respondent/s : Mr.Arvind Ujjwal (SC 4)

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**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

11     31-10-2023                     Vide order dated 10.10.2023, the learned counsel appearing on behalf of the respondents was directed to get necessary instructions as to whether any order of cancellation has been passed by the Authority concerned canceling the PDS licence of the father of the petitioner. Learned counsel appearing on behalf of the respondents, on instruction, has stated that the licence standing in the name of the father of the petitioner was not cancelled.

2. Having regard to the above made submission, the impugned orders dated 08.12.2022 and 06.01.2023 are set aside solely on the ground that there was no order of cancellation of the licence which was standing in the name of the father of the



petitioner. The only reason given by the District Level Selection Committee for rejecting the application of the petitioner for appointing him on compassionate ground is that the Public Grievance Redressal Committee had ordered for cancellation of the licence standing in the name of father of the petitioner.

3. Having regard to the same, the impugned orders dated 08.12.2022 and 06.01.2023 are set aside and the matter is remanded back to the Sub-Divisional Officer, Rosara, Samastipur, (Respondent No. 2) for sending fresh proposal for appointment of the petitioner on compassionate ground to the Chairman-cum-District Magistrate, District Level Selection Committee, Samastipur (Respondent No. 3). The Sub-Divisional Officer, Ropsara, Samastipur, (Respondent No. 2) shall submit the report to the Chairman-cum-District Magistrate, District Level Selection Committee, Samastipur (Respondent No. 3) within a period of four weeks from the date of the receipt of the copy of this order. On such report, the Chairman-cum-District Magistrate, District Level Selection Committee, Samastipur (Respondent No. 3) shall pass necessary orders within a period of four weeks thereof. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks.



4. Accordingly, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

Bhardwaj/-

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