

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6688 of 2019**

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Amit Kumar Tiwari, Son of Late Raj Kishore Tiwari, Resident of Village-  
Fatahpur, P.O.- Hardi, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply, Bihar, Patna.
2. The District level Selection Committee, presided by Collector, Muzaffarpur.
3. The Sub-Divisional Magistrate, West, Muzaffarpur.
4. The District Supply Officer, Muzaffarpur.
5. The Circle Office, Paroo.
6. The Block Supply Officer, Paroo.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shankar Kishore Shahi, Advocate  
For the Respondent/s : Mr. Anisul Haque, AC to AAG-5

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

5      15-02-2023                      Heard Mr. Shankar Kishore Shahi, learned counsel  
  
appearing on behalf of petitioner and Mr. Anisul Haque, learned  
  
AC to AAG-5 for the State.

2. In the present writ application, the petitioner has  
  
sought for following relief:

**“That this is an application for issuance of a writ or writs order or orders in the nature of mandamus to direct the respondent authorities to issue P.D.S. License in favour of the petitioner on the companionate ground in the light of annexed annexure to this petition.**

**It is further prayed that to direct the respondent no.2 to consider the case of the petitioner. The case of the petitioner has not consider on 09.02.2018 meeting while the petitioner has submitted all required documents thereafter S.D.O, West Muzaffarpur, respondent no. 3 recommended master check list in favour of the petitioner. On 09.02.2018 meeting – it has**



**explained that the case of the petitioner will be decided in next meeting of selection committee.”**

3. Sri Shankar Kishore Shahi, learned counsel appearing on behalf of petitioner informs this Court that petitioner has claimed his candidature on the basis of compassionate ground for grant of P.D.S license. He further submitted that the father of the petitioner was running a fair price shop bearing license No. 23030030/08 under the Public Distribution System. He next submitted that petitioner learnt vide Memo No. 644, dated 25.04.2018 that District Level Selection Committee had convened meeting on 09.02.2018, but even after fulfilling the requisite criteria, the case of the petitioner was not considered, hence the present writ petition.

4. Learned counsel for the respondent, referring to Annexure-A to the counter affidavit, submitted that the case of the petitioner was duly considered by the District Level Selection Committee and his case is still pending in stead of producing all the requisite documents before the Selection Committee, the petitioner has hurriedly filed the present writ petition without any reason and as such the present writ petition is not maintainable.

5. This Court finds that the present writ petition is premature. The candidature of the petitioner has not been



rejected by the District Level Selection Committee as on date, vide letter dated 25.04.2018, the petitioner was communicated regarding the required documents to be produced for consideration by the District Level Selection Committee. The minutes of the meeting also reflects that the case of the petitioner has not been rejected as on date.

6. In such circumstances, the petitioner, if so desires, may approach the District Level Selection Committee within any convenient time. The District Level Selection Committee is free to take decision in accordance with law.

7. With the above observations and directions, the present writ application stands disposed of.

**(Purnendu Singh, J)**

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