

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8428 of 2019

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Chunnu Kumar S/o Late Ram Ayodhiya Sah Vill.- Damodarpur, P.s.- Kanti,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Supply, Govt. of Bihar, Patna
2. The District Magistrate Muzaffarpur
3. The District Level Selection Committee Muzaffarpur through its Chairman the District Magistrate, Muzaffarpur
4. The Sub Divisional Officer Muzaffarpur, West District- Muzaffarpur
5. The District Supply Officer Muzaffarpur
6. The Block Supply Officer Kanti Block, Distt.- Muzaffarpur
7. Parmeshwar Sah S/o Late Lakhendra Sah Vill.- Damodarpur, P.s.- Kanti, Distt.- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Adv.
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC4

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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 : 24-01-2023

Heard Md. Anisur Rahman, learned advocate for
the petitioner and Mr. Upendra Pratap Singh for the State.

The petitioner raises the grievance against the
decision of the Authorities in granting license of respondent
no.7 whose candidature, in all respects, is not better than
the petitioner.



In fact, the petitioner was recommended at serial no.1 by the District Selection Committee and was found to be possessed with requisite educational qualification and computer ability. So far as the respondent no.7 is concerned, the District Selection Committee had not found his candidature to be suitable for grant of license as he had applied under the special category for which no vacancy was notified. Apart from this, it has been urged that the respondent no.7 does not also hail from the area for which the license has been granted to him.

In view of the nature of controversy raised by the petitioner and 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 Divisional Commissioner, Muzaffarpur within a period of 30 days, the



Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including Respondent No. 7, 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. 7.

We have specifically asked for Respondent No. 7 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

With the aforementioned observation/direction, the writ petition stands disposed of.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2023
Transmission Date	

