

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10220 of 2022

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Rajesh Kumar Paswan S/o Late Shiv Shankar Paswan, Resident of Village-
Dudhiya, Ward No. 01, P.O. - Khirma, Block - Keoti, District - Darbhanga,
Pin Code - 847121.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. Additional Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Collector, Darbhanga.
4. The Licensing Officer - cum - Sub Divisional Officer, Sadar, Darbhanga.
5. The District Supply Officer, Darbhanga.
6. The Block Supply Officer, Keoti, Darbhanga.
7. The Block Development Officer, Keoti, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary, Advocate.
For the Respondent/s : Mr.S. Raza Ahmad, AAG-5.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 15-02-2023 Heard Mr. Kaushalesh Choudhary, learned counsel

 appearing on behalf of the petitioner and Mr. S. Raza Ahmad,

 learned AAG-5 for the State.

2. The present writ petition has been filed for the

following reliefs:

i. For issuance of appropriate writ(s)/Rule(s)/Direction(s) in the nature of mandamus, commanding the concerned respondents, for issuance of PDS License to the petitioner, on Compassionate Ground, for Gram Panchayat Raj, Nanaura, Keoti, Darbhanga, as his father, who was PDS license holder, died on 19.07.2018.

3. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner had applied for running a Fair Price Shop under the scheme of Public Distribution System. The father of the petitioner had died on 19.07.2018 and in this regard he has brought on record the death certificate vide Annexure-P/1 series to substantiate his statement. He further submitted that petitioner is aggrieved by the recommendation made by the Sub-Divisional Officer to the District Selection Committee vide Letter dated 31.08.2020. The S.D.O. has informed the District Selection Committee that the date of birth of the father of the petitioner has been mentioned as 15.09.1962 and the date of birth of the petitioner is 05.01.1988 and to that effect he has mentioned his age as 34 years in the cause title of the present writ petition.

4. Learned counsel appearing on behalf of the respondent submitted that such disputed question of fact cannot be entertained in the present writ petition.

5. Considering the rival submissions of the parties, the petitioner, if so desire, may file his representation along with all the relevant documents in support of the age of his father as well as his own age before the District Selection Committee, Darbhanga and the District Selection Committee shall decide the case of the petitioner within a period of three weeks from the



date of filing of his application.

6. Accordingly, the writ application stands disposed
of.

(Purnendu Singh, J)

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