

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1062 of 2019

In
Civil Writ Jurisdiction Case No.15816 of 2018

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Gaitri Devi Wife of Late Sohrai Manjhi Resident of Village - Madarpur, P.O. -
Jatdumari, P.S. - Punpun, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Collector, Patna.
3. The Sub-Divisional Officer, Masaurhi, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Abhay Kumar, Advocate Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5 Mr. Vishwambhar Prasad, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 29-03-2023

The appellant is a licensee of Control Order of 2001. His license expired in 2015. Bihar Targeted P.D.S. (Control) Order, 2016 thereafter came to be promulgated providing leeway to the licensees under the earlier Control Order to have their licenses renewed under the New Control Order of 2016 but for availing of that advantage, a time-limit has been prescribed in the Control Order of 2016.

There appears to be great delay in approaching the authorities for renewal and registering the license



under the new Control Order, which claim has been rejected by the learned Single Judge.

There is yet another difficulty with the appellant. The Control Order of 2016 provides that there should be a continuous process for filling up the vacancies so far as licenses are concerned. Since 2016 Control Order came into existence, most of the vacant places have been filled up. It would be difficult to dislodge any other person who has been granted license in particular area where the petitioner was a licensee earlier.

We cannot enforce sympathy on the ground of the appellant being a lady.

We have no option but to dismiss this appeal but with an observation that in case fresh vacancy is advertised, the appellant shall be considered by the authorities for having worked as a licensee for several years.

The appeal stands disposed of accordingly.

(Ashutosh Kumar, J)

(Harish Kumar, J)

krishna/shivank

AFR/NAFR	NAFR
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