

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23588 of 2019

Pratima Devi, Widow of Late Vishundev Uraon, Resident of Village- Gahil Asthan, Panchayat- Dibra Dhani, P.O.- Dibra Bazar, Police Station- Barahara Kothi, Anchal- Barahra Kothi, Sub-Division-Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food, Civil Supplies and Consumer Affairs Department, Government of Bihar, Patna.
2. District Magistrate, Purnea.
3. District Supply Officer, Purnea.
4. Sub-Divisional Officer, Dhamdaha, District- Purnea.
5. Block Supply Officer, Barahara Kothi, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gyanand Roy, Adv.
For the Respondent/s : Mr. U.P. Singh, AC to SC 4

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 19-09-2023

Heard the parties.

2. The present writ petition is filed for the following relief(s):-

“(i)For commanding the respondents to immediately issue Public District System (in short 'P.D.S.') license in the name of the petitioner on compassionate round in Village Gahil Asthan, Ward No. 10, Panchayat-Dibra Dhani P.O-Dibra Bazar, Police Station-Barahra Kothi District-Purnea on account of death of her husband late Vishundev Uraon due to illness on 26.08.2015, who was a P.D.S. dealer under license No. 54/2007 for the above mentioned place.

(ii)For holding that inspite of the fact that the



petitioner is fulfilling all the requisite criteria and conditions for issue of P.D.S. license on compassionate ground after the death of her husband, who was a P.D.S. dealer under license No. 54/2007 and has also completed all the required formalities for the same, the respondent authorities are wrongly and illegally not issuing the P.D.S. license to her without any justifiable reason.

(iii) For grant of any such other relief or reliefs, for which the petitioner is found to be legally entitled in the facts and circumstances of the cas.”

3. Learned counsel appearing on behalf of the petitioner states that the husband of the petitioner was PDS dealer and he expired on 26.08.2015. Thereafter, petitioner has applied for grant of license in her favour under compassionate ground. Learned counsel has stated that even though the petitioner has fulfilled all the criteria laid down under Bihar Targeted Public Distribution System (Control) Order, 2016, yet the official respondents have not passed any final orders till date. Learned counsel has further stated that the petitioner has given a representation to the Respondent No. 2 but till date no action has been taken by the said authority. Learned counsel has drawn attention to the Court of the representation dated 17.12.2018 (**Annexure P/7**) given by the petitioner. Therefore, prayed this Court to pass necessary orders directing he Respondent No. 2 to pass final



orders on the application of the petitioner for appointment as PDS dealer under compassionate grounds.

4. Per contra, the learned counsel appearing on behalf of the respondents has stated that the Respondent No. 2 may be directed to pass final orders on the application made by the petitioner in accordance with law.

5. Having regard to the above made submission, the writ petition is disposed off directing the Respondent No. 2 to dispose of the application made by petitioner for appointment as PDS dealer and the representation dated 17.12.2018 made by the petitioner and pass necessary orders in accordance with law.

6. It is needless to mention that before passing any order the petitioner shall be put on notice and given an opportunity of hearing. The entire exercise shall be completed as expeditiously as possibly preferably within a period of eight weeks from the date of receipt of the copy of this order. Any order passed shall be communicated to the parties.

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

Bhardwaj/-

(A. Abhishek Reddy , J)

AFR/NAFR	
CAV DATE	
Uploading Date	23.09.2023
Transmission Date	

