

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3359 of 2020

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Awdhesh Ram Son of Late Rajendra Ram, resident of Village- Kechuya, P.O.-
Sakala Bazar, P.S.- Karakat, Panchayat- Sonbarsa, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Civil Supplies
Department, Government of Bihar.
2. The Collector, Rohtas,
3. The District Supply Officer, Rohtas.
4. The Sub-Divisional Officer, Bikramganj, District- Rohtas.
5. The Block Supply Officer, Karakat, District- Rohtas.
6. Surendra Prasad, Son of Rajbansh Prasad, resident of Village- Kechuya,
P.O.- Sakala Bazar, P.S.- Karakat, Panchayat- Sonbarsa, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Respondent/s : Mr. Upendra Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

5 03-01-2023 Heard the learned counsel for the parties.

The petitioner is aggrieved by the grant of

license to the respondent no. 6, who according to his



definite information, comes from a family, which owns a flour mill.

The learned counsel for the petitioner submits that this fact attaches disqualification on respondent no. 6 to be considered for grant of license.

In view of the controversy so raised by the petitioner and in view 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 concerned Divisional Commissioner within a period of 30 days, he shall look into the matter and after hearing all the stakeholders, including respondent no. 6, 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 respondent no.



6 forthwith.

We have specifically asked respondent no. 6 to be heard by the Divisional Commissioner as the present order is being passed in his absence.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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