

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19135 of 2018**

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Umesh Singh son of Late Mundrika Singh, resident of Village- Diha, P.S.  
Ariari, District Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Food and Consumer Protection Department,  
Government of Bihar, Old Secretar
3. The District Magistrate cum Chairman District Selection Committee,  
Sheikhpura.
4. The District Supply Officer, Sheikhpura.
5. The Sub Divisional Officer, Sheikhpura.
6. Satish Kumar son of Nunu Lal Nonia, resident of Village- Ekraim, P.S.  
Ariari, District Sheikhpura.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Ms. Sushmita Mishra  
For the Respondent/s : Mr. Upendra Pratap Singh

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

**(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)**

3      17-01-2023                      Heard Ms. Sushmita Mishra for the petitioner and  
  
Mr. Upendra Pratap Singh for the State.

The petitioner is an existing PDS dealer who has  
challenged the grant of license to private respondent No. 6,  
another PDS licensee of the same area, on two grounds viz.,  
that his selection was in the midst of a stay order passed by  
a Bench of this Court in some proceeding and that with the



grant of license of private respondent No. 6, there is a surplusage of such PDS shops in the area.

The other ground of challenge is that the license to respondent No. 6 has not been granted keeping in mind the requirements under the Bihar Targeted Public Distribution System (Control) Order, 2016.

In support of the aforesaid contention, Ms. Mishra draws the attention of this Court to the mandate under Section 9 of the Bihar Targeted Public Distribution System (Control) Order, 2016.

None of these grounds weigh with us to entertain this petition.

That some rule was violated while granting license to respondent No. 6, could be agitated by a contender who would have lost out. The petitioner is himself a licensee.

There is no outer limit fixed under Section 9 of the Bihar Targeted Public Distribution System (Control) Order, 2016, which only mandates that there should be as many number of shops which not compel a beneficiary to travel beyond 2kms in rural/urban areas.



To say the least, this is a misadventure, a jealous  
mindset of the petitioner.

We are not at all inclined to entertain this petition.

The petition is accordingly dismissed.

**(Ashutosh Kumar, J)**

sharun/sunil-

**( Satyavrat Verma, J)**

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