

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21778 of 2018

Jata Shankar Kumar S/o Arvind Prasad Yadav, Resident of Village-Pramanandpur, Ward No.9, Panchayat-Pokhram Pramanandpur, P.S.-Murliganj, District-Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Food & Consumer Protection Department, Old Secretariat, Patna.
2. The District Level Selection Committee, Madhepura through its Chairman.
3. The District Magistrate, Madhepura.
4. The Sub-Divisional Officer, Madhepura.
5. The Block Supply Officer, Murliganj.
6. Vinod Kumar, Son of Kamleshwari Prasad Yadav, Resident of Village-Parmanandpur, Ward No.9, Panchayat-Pokharam Parmanandpur, Murliganj, District-Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh, AC to SC-4

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

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

3 03-01-2023 Heard Mr. Vijay Anand, learned Advocate for the petitioner and Mr. Upendra Pratap Singh, learned A.C. to S.C.-4 for the State.

The petitioner is aggrieved by the grant of licence to respondent no. 6 when the claim of the petitioner, according to him, was the best amongst seekers.

Several grounds have been raised on behalf of the petitioner including that the petitioner was not given any weightage under the Disability Act, to which he was entitled.

In view of the nature of controversy raised 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, the Divisional Commissioner shall look into the matter and after hearing all the stakeholders, including respondent No.6, shall pass a final order within next 60 days, giving reasons in support of the decision taken by him.

We have specifically asked for respondent no.6 to be heard by the Divisional Commissioner for the reason that this order has been passed in his absence.

With the afore-noted direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

Sunil/Rishi/-

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