

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1830 of 2024

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Kashinath Singh @ Kashee Nath Singh, age about-53 years, Male, Son of -
Late Kamta Singh, Resident of Village - Pandura, P.O. - Rampur, P.S.
Sandesh, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection
Department, Old Secretariat, Patna.
2. The Director, Food and Supply Department, Bihar, Patna.
3. The Divisional Commissioner Bhojpur District- Bhojpur.
4. The District Magistrate Bhojpur District - Bhojpur.
5. The Sub Divisional Officer (SDO) Arrah, District- Bhojpur.
6. The District Supply Officer, Bhojpur District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate.
For the Respondent/s : Mr. Venkatesh Kirti, SC to GA-2.

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

5 02-09-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the
following reliefs:-

*“.... the petitioner seeks
indulgence of this Hon’ble Court for
issuance of writ in the nature of
mandamus for directing the respondents
to appoint the petitioner as PDS (fair
price shop) dealer at Gram Panchayat-
Pandura on compassionate grounds on
account of death of his father on
17.02.2018 who was PDS dealer at
Pandura village vide license No. 24/85.
Petitioner has requisite qualification &
passed matriculation examination and*



filed compassionate format before authority but till the date appointing authority not taken any decision regarding petitioner.”

3. In the counter affidavit filed by the respondents, it is stated as under:-

“20. That in response to aforesaid the Principal, Middle School, Pandura, Block-Sandesh verified the School Leaving Certificate and after verification submitted a report vide Letter No. 44 dated 19.04.2023 stating therein that after verification it was found that the School Leaving Certificate of the father of the petitioner was not correct. That the Block Education Officer vide Letter No. 177 dated 21.04.2023 forwarded the report submitted by the Principal, Middle School, Pandura, Block-Sandesh (Annexure-J & J/1 to the counter affidavit).

21. That from the facts, it is evident that the petitioner has submitted forged school leaving certificate of his father and even there is difference of nine years between the date of birth of the deceased father of the petitioner and the petitioner which is highly improbable.

22. That the application of the petitioner for grant of PDS License on compassionate ground is otherwise time barred and PDS License on compassionate ground can only be granted if the PDS Dealer died within 58 years of age as provided in Clause-10 of the PDS Control Order, 2016.”



4. The petitioner has not filed any rejoinder to the above averments made in the counter affidavit filed by the respondents.

5. Having regard to the above made averments, this Court does not find any merits in the present writ petition and the same is dismissed accordingly.

(A. Abhishek Reddy, J)

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