

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5535 of 2024

=====

Anuj Raj Son of Late Satyanarayan Yadav, Resident of Bhakhari, Police Station - Sanokhar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The District Supply Officer, Bhagalpur.
5. The Sub-Divisional Officer, Kahalgaon, Bhagalpur.
6. The Block Development Officer, Sanhaulla, District - Bhagalpur.
7. The Block Supply Officer, Sanhaulla, District - Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nitya Nand Neeraj, Adv.
For the Respondent/s	:	Mr. Government Pleader 7
For the State	:	Mr. Sudhir Kumar Upadhyay, AC to GP-7

=====

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

4 07-10-2024 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“(i) For issuance of an appropriate writ/ order/ direction to the respondents to issue license to the run Public Distribution Shop (PDS) within Village- Bhakhari, Gram Panchayat Raj Teloundha, Police Station- Sanokhar, District- Bhagalpur on compassionate ground and in pursuance of recommendation of Sub-Divisional Officer, Bhagalpur after verification and necessary reports on the application of the petitioner.



(ii) For issuance of an appropriate writ/ order/ direction that keeping pending to recommendation of the Sub Divisional Officer, Kahalgaon by higher authority is arbitrary and against the interest of beneficiaries of the village.”

3. Learned counsel for the petitioner has stated that the petitioner had applied for grant of PDS license under the compassionate ground and the same was approved by the District Selection Committee under the Chairmanship of the District Magistrate, however, the Sub divisional Officer who is the license issuing authority has kept the matter pending without issuing any license. Therefore, the petitioner left with no other remedy has to approach this Hon'ble Court by way of the present writ petition.

4. In the counter affidavit filed by the respondents at Para 11, it is stated as under:

“That it is submitted and stated that the cases of the petitioner was duly placed in the meeting of District Selection Committee held under the Chairmanship of District Magistrate, Bhagalpur on 03.09.2024 and considered and based upon its decision P.D.S. license has been granted to the petitioner; this fact would be evident from the perusal of the Minutes of Proceeding of the meeting of District Selection



Committee held on 03.09.2024. ”

5. Having regard to the same, the Respondent No. 5, Sub Divisional officer, Kahalgaon, Bhagalpur is directed to issue the PDS license to the petitioner as expeditiously as possible preferably within a period of four weeks from the date of receipt of the copy of this order duly taking into consideration the selection made by the District Selection Committee on 03.09.2024.

6. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

Gauravkr/-

U			
---	--	--	--

