

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11227 of 2024

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Satish Kumar Thakur S/o- Ram Balak Thakur, Resident of Village-
Govindwari Darouri, Post Office- Karua Budakpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Food Consumer Department, Bihar, Patna.
2. The District Officer, Samastipur.
3. The District Supply Officer, Samastipur.
4. The Sub Divisional Supply Officer Samastipur, Dist- Samastipur.
5. The Sub-Divisional Supply Officer Rosera, Dist- Samastipur.
6. The Sub-Divisional Supply Officer, Dalsingsarai, Dist- Samastipur.
7. The Sub Divisional Supply Officer Patori, Dist- Samastipur.
8. The Block Supply Officer, Block- Kalyanpur, Dist- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Singh, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 01-08-2024

1. Heard learned counsel for the petitioner and
learned counsel for the State of Bihar.

2. The petitioner has filed the instant Public Interest
Litigation praying for quashing the general notice contained in



memo no. 185 dated 22.2.2024 issued under the signature of the District Officer, Samastipur with respect to grant of license of Public Distribution Shop in the District of Samastipur in view of the fact that the same is in contravention of the notification of the Government of Bihar published in the Bihar Gazette (Extraordinary) on 14.3.2016.

3. It is submitted by learned counsel for the petitioner that as per the notification dated 14.3.2016 of the Government of Bihar published in the Bihar Gazette Extraordinary, there has to be one Public Distribution Shop ('PDS' in short) for population of 1900 in rural area and 1350 in urban area. It is submitted by learned counsel for the petitioner that the respondents having come out with the general notice dated 22.2.2024, in view of the same being in contravention of the notification dated 14.3.2016, the same be quashed.

4. Learned counsel appearing for the respondents submits that the general notice dated 22.2.2024, quashing of which is sought by the petitioner is not in contravention of the notification dated 14.3.2016. Referring to the general notice dated 22.2.2024, it is submitted that the petitioner is affected by inviting of application for Panchayat Sormar under Block-



Kalyanpur. It is submitted in reference to the chart enclosed with the general notice dated 22.2.2024 that the same is with respect to grant of license for PDS shop, which has fallen vacant. It is thus submitted with respect to the panchayat-wise chart that one license of PDS shop under the category of Economically Weaker Section having fallen vacant in Sormar Panchayat, the same has been advertised along with others by the general notice dated 22.2.2024, impugned herein.

5. Having heard learned counsel for the parties and having perused the material on record, it transpires that there is substance in the submissions made by learned counsel appearing for the respondents- State of Bihar. The panchayat wise category enclosed with the general notice dated 22.2.2024 clearly talks about the category wise license for PDS shop which has fallen vacant for allotment of which the notice has been published and so far as the Sormar Panchayat is concerned, one PDS shop license which has fallen vacant is in the Economically Weaker Section category.

6. This Court finds that there is no violation of the notification of the Government of Bihar published in the Bihar Gazette (Extraordinary) on 14.3.2016 nor any merit in the instant application filed by way of a Public Interest Litigation



and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	06.08.2024
Transmission Date	

