

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1116 of 2024

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Sudhanshu Kumar, (M), aged about 56 years, Son of Doman Prasad @ Domilal Yadav, Resident of Village- Paschim Azimganj, Ward No. 12, P.O and P.S.- Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Commissioner, Munger Division.
3. The District Magistrate, Munger.
4. The S.D.O., Munger.
5. The District Supply Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG-3.

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

7 23-08-2024 Pursuant to the direction give by this Court on 22.07.2024 wherein this Court had directed the respondents to get necessary instructions as to whether the license for the advertised area i.e. Ward No. 12 of Panchayat Haveli, Kharagpur still lying vacant or it has been allotted to any person, Government Pleader has produced the letter No. 114 of 22.08.2024 and it is categorically stated therein that the licence for the advertised area is still lying vacant as on date.



2. Having regard to the fact that the only reason for rejecting the application of the petitioner is that he has not shown the work place (LPC) as stated in the rejection order. However, a perusal of the order passed by the Divisional Commissioner shows that the petitioner has submitted the LPC, therefore, the stand taken by the authorities for rejecting the candidature of the petitioner without any legal basis and contrary to the records.

3. Having regard to the same, the impugned order dated 31.08.2023 passed by the Divisional Commissioner, Munger is set aside and the authorities are directed to reconsider the candidature of the petitioner afresh duly taking into consideration the documents produced by him most specifically the LPC and also the character certificate produced by the petitioner. In case, any clarification is required the petitioner shall be put on notice and he will be given an opportunity of producing the documents. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. Any order passed shall be communicated to the party.



4. With the above directions, the present Writ
Petition stands disposed of to the extent indicated.

(A. Abhishek Reddy , J)

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