

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.637 of 2020

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Krishnawati Devi W/o Dharmraj Singh resident of Village- Bhaishat, P.O.- Parwatpur, P.S.- Chainpur, Block- Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Bihar, Patna.
2. The District Magistrate, Kaimur (Bhabua).
3. The Sub Divisional Officer, Bhabua, District- Kaimur.
4. The District Supply Officer, Bhabua.
5. The Block Supply Officer, Chainpur, District- Kaimur.
6. Meera Devi W/o Ramlal Resident of Village- Bhaishhat, P.O.- Parwatpur, P.S.- Chainpur, Block- Chainpur, District- Kaimur (Bhabua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

8 06-02-2024 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following reliefs:-

“(I) To issue an appropriate order/s, direction/s including a writ preferably in the nature of Mandamus commanding and directing upon respondent to issue fair price shop license under Clause 8 of Bihar Targeted (Control) order 2016 to the petitioner for village Bhaishhat, Panchayat Uday Rampur within Chainpur Block of District- Kaimur (Bhabua).

(II) To quash the decision taken in critical meeting dated 19-06-19 by the District level selection committee headed by the District Magistrate, Kaimur (Bhabua) vide memo no-944 dt 9.07.2015 whereby and where under the petitioner's claim for



appointment of PDS dealership has been kept in abeyance on the ground of pendency of writ petition filed by private respondent in the Hon'ble High Court though there is no interim order passed.

(III) To direct the respondents to issue fair price shop license taking into the consideration that the petitioner is unemployed lady and fulfills all requisite qualification/criteria for the same and private respondent is holding the post of profit.

(IV) To any other relief/s to which the petitioner may be found entitled in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner has stated that though the petitioner was selected as a PDS dealer licensee by the District Level Selection Committee till date the orders have not been issued appointing the petitioner as a PDS licensee. Learned counsel has stated that the authority concerned on 19.06.2019 has put the name of the petitioner in abeyance on the ground that the decision of this Court is awaited. However, no details of the said case or any order passed by this Court has been mentioned till date. Learned counsel has stated that the petitioner has been doing the rounds of the office of the District Magistrate and also the Sub-Divisional Officer but till date no result has come forth. Learned counsel has also stated that the petitioner has given the representation to the authority concerned ventilating his grievance but to no avail therefore, learned counsel for the



petitioner has prayed this Hon'ble Court to direct the authority concerned to take a decision on the representation made by the petitioner and finalize the selection process.

4. Per contra, learned counsel appearing on behalf of the respondent-State has stated that a direction may be given to the authority concerned to dispose off the representation made by the petitioner. However, learned counsel has stated that as a matter is of the year 2020, the representation made by the petitioner may not be available. Therefore, the petitioner may be directed to give afresh representation to the District Magistrate ventilating his grievance along with any documents in support of his case.

5. Having regard to the above mentioned facts and circumstances without going merits or demerits of the case, the present writ petition is disposed off granting liberty to the petitioner to give afresh representation to the District Magistrate ventilating his grievance within a period of four weeks. On such representation being made, the concerned District Magistrate shall consider the representation made by the petitioner and pass a reasoned order. It is made clear that in case any specific order of this Court has been given, the authority shall intimate the petitioner about the pendency of the said case or if the same is



disposed off, they shall act accordingly. It is needless to mention that before passing any order the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the party. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the representation made by the petitioner.

6. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy, J)

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