

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7211 of 2019

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Roushan Kumar Bhaskar S/o Sri Kanhaia Das @ Kanhaya Das Resident of
Village- Deohara, P.S.- Goh, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna
2. The Chief Secretary, Government of Bihar, Patna
3. The Principal Secretary, General Administration Department, Government of Bihar, Patna
4. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna
5. The District Officer-cum-Collector, District- Aurangabad
6. The Sub-Divisional Officer, Sub-Division, Daudnagar, District- Aurangabad
7. The District Supply Officer, District- Aurangabad
8. The Block Supply Officer, Block- Goh, District- Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Respondent/s : Mr. S.Raza Ahmad, AAG 5

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY
ORAL JUDGMENT**

Date : 07-01-2025

1. The petitioner has filed the Writ petition for
the following reliefs:-

*“That this is an application
praying for issuance of writ/writs
certiorari or appropriate in nature for
directing and commanding to the
respondents for issuance of P.D.S.
License to the petitioner on the basis
senior most educational qualifications*



and on the basis of native of concerned Panchayat Deohara, Block- Goh, Sub-Division, Daudnagar, District- Aurangabad who has applied for issuance of P.D.S. shop being schedule cast Mahadalit but ignoring the provision and guideline issued in vacancy no. 1/17 from Collocoriat Aurangabad the merit list has been published and the name of the petitioner is mentioned in serial no. 2 whenever in Serial No. 1 the name of other person namely Ghashyam Sharma has been mentioned who is not native of the concerned Panchyat Deohara but he is native of village + Post- Manjhara, Panchayat Verma Khurd and as per statutory Rule -9 of Bihar targeted Public Distribution System (Control) Order, 2016 by amending in merit list his placement at Serial 1 instead of Sl. 2 in merit list of vacancy of P.D.S. shop under Deohara in Panchyat in compliance of said rule, Justice and law as respondent authorities with adoption of pick and choose system by flouting the



said Rule arbitrary, deliberately and knowingly, tampered with seniority of petitioner while petitioner was required to be placed in on top of the merit list at Sl. NO. 1 in the eyes of Rule as well praying for prohibiting/ restraining/ staying issue of P.D.S. Licence to any other candidate against said one vacancy of P.D.S. shop till the disposal of this writ application in this Hon'ble Court.

2. At the very outset, Learned counsel for the petitioner contended that since this matter is squarely covered under the order dated 18.08.2023 passed in **CWJC No. 13258 of 2022 (Sushma Kumari Vs. The State of Bihar & Ors.)** by this Court, this writ petition may also be disposed of on the same terms and conditions.

3. Learned counsel for the respondents has stated that as per the amendment to the **Bihar Targeted Public Distribution System (Control) Second Amendment Order, 2022**, any person has any



grievance with regard to the merit list published by the District Supply Officer or the Sub-Divisional Officer, the remedy is to approach the Divisional Commissioner by way of complaint.

4. In view of the fact that this matter is squarely covered by the aforesaid judgment, the petitioner is directed to approach the Divisional Commissioner within a period of four weeks from the date of the receipt of the copy of this order for ventilating his grievances along with the supporting documents and on such complaint being received, the Divisional Commissioner shall dispose of the complaint filed as expeditiously as possible preferably within a period of 30 days from the date of receipt of the said complaint.

5. It is needless to say that before passing any order, the party shall be put on notice and given an opportunity of hearing.

6. With the aforesaid observations, this writ petition stands disposed of in light of the order passed in



Sushma Kumari (supra).

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.01.2025
Transmission Date	

