

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2057 of 2018

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Dubai Kumar Singh Son of Uma Singh, Resident of Village- Dakhi, Police Station- Barsoi, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, General Administrative Department, Government of Bihar, Patna
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Additional Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
4. The Joint Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Purnea Division, Purnea.
6. The District Magistrate, Katihar.
7. The Sub-Divisional Magistrate, Barosi, Katihar.
8. The Sub-Divisional Magistrate, Katihar.
9. The Sub-Divisional Magistrate, Manihari, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Rahmatullah
For the Respondent/s : Mr.S. Raza Ahmad-AAG-5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 24-06-2025

1. The writ petition is filed for the following reliefs:-

(i) For issuance of a writ in the nature of mandamus or any other appropriate writ order, orders direction for commanding the respondents to follow the



reservation policy in preparation of roster for granting new licence of P.D.S. dealer of the persons with disability and to select the persons with disability as per the Advertisement No.1/2017-2018 dated 15.05.2017 and as per the person with Disabilities Act, 2016.

(ii) For issuance of a writ of mandamus or any other appropriate writ, order, orders direction commanding the respondents to stay the grant of new licence to the candidates with the immediate effect in respect of its advertisement being Advertisement No. 01/2017-2018 dated 15.05.2017 till the disposal of this writ petition.

(III) For grant of any other relief or reliefs.

2. There is no interim order passed in this matter. The advertisement is dated 15.05.2017.

3. A detailed counter affidavit was also filed by respondent Nos. 6 and 7. The counter affidavit



disclose that the selection of PDS dealers was conducted as per a newly adopted policy. A roster at the Sub-Divisional level was prepared in light of Letter No. 1222 dated 08.03.2017, issued by the Food & Consumer Protection Department, Bihar. There were 608 sanctioned posts of PDS dealers in different Panchayats of the Barsoi Sub-Division, out of which 244 were vacant. The selection was to be made for these vacant posts. 07 seats for disabled persons were identified across various Panchayats of the four Blocks. Applications for selection were accordingly invited. The petitioner belongs to the general category of the Barsoi Block. Three seats had been identified for disabled persons in this particular Block. Three other qualified candidates were selected. The petitioner had not indicated in his application that he was a "Disabled Candidate." This was the reason he was not considered under the disabled quota and, consequently, was not selected.

4. On perusal of the application, it is evident that the petitioner did not mention that he belonged to the disabled category. Therefore, he cannot raise



the plea in the writ petition that he is a disabled candidate and should have been selected under the reserved category.

5. In view of the above, nothing remains in the writ petition for adjudication. Accordingly, the writ petition stands dismissed, as it is devoid of merit.

(G. Anupama Chakravarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.06.2025
Transmission Date	

