

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9494 of 2024

Chandani Kumari Wife of Gopal Kumar Resident of Village- Deepnagar,
Gram Panchayat- Meghi, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Collector-cum-Chairman, District Level Selection Committee, Nalanda at Biharsharif.
3. The Collector-cum-District Magistrate, Nalanda at Biharsharif.
4. The Sub-Divisional Officer, Biharsharif, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr. Standing Counsel (4)

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

7 08-05-2025 The present writ petition is disposed of at the stage of admission with the consent of both the parties.

2. Learned counsel appearing on behalf of the petitioner has stated that pursuant to the advertisement issued by the respondent authority on 28.03.2017, the petitioner has applied for grant of PDS licence for Roster No. 418 under the Backward Class Female Quota in Panchayat-Meghi, Block Biharsharif, District-Nalanda. Learned counsel has stated that the petitioner was placed at Sl. No. 3 in the provisional list and another person by name Anupam Kumari was shown at Sl. No. 1 and at Sl. No. 2 Nutan Kumari was shown. However, the application of Nutan Kumari was rejected on the ground that she



has failed to submit the relevant caste certificate. That though the petitioner has filed an appeal before the competent authority challenging the selection of the Anupam Kumari, the said appeal was dismissed and subsequently the said Anupam Kumari also resigned. Learned counsel has stated that as on date the PDS dealership is vacant and the authorities should consider the petitioner for the said appointment. Further, it is stated by the petitioner that the candidate who was at Sl No. 2 i.e., Nutan Kumari did not challenge her rejection and, therefore, the provisional list prepared by the authorities has become final. Learned counsel has stated that having regard to the fact that Anupam Kumari has already resigned from her post, the petitioner is eligible and next in line for being appointed as PDS dealer. Learned counsel has prayed this Hon'ble Court to direct the authorities to verify the same and pass necessary orders for selecting her as a PDS dealer.

3. The above statement made by the petitioner has not been controverted by the counsel for the respondent-State. Learned counsel has stated that the matter may be remitted back to the authority concerned for considering the case of the petitioner on the merits and after due verification necessary orders will be passed.



4. Having regard to the above, the present writ petition is disposed of directing the District Collector-cum-Chairman (i.e. the respondent No. 2 herein) to verify if the Anupam Kumari has resigned from the PDS dealer and in case the petitioner is next in line, pass necessary orders for appointing her as a PDS dealer. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. If any clarification is sought, the petitioner shall be put on notice and given an opportunity of clarifying the same.

5. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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