

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13712 of 2017

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Lal Mohan Chaupal son of Surya Narayan Chaupal Resident of Village -
Nista, Police Station - Darbhanga, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Darbhanga, District - Darbhanga.
3. The Sub-Divisional Officer, Darbhanga Sadar, District - Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Thakur, Adv.
For the Respondent/s : Mr.S.Raza Ahmad-Aag5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

3 08-07-2025 1. The petitioner has prayed for the
following reliefs:-

*I. For accepting the
application form dispatched upto
21.06.2017 by post submitted in
response of notice for issuance of
license for Public Distribution Shop
(in short PDS here-in-after)
including the application of
petitioner for the same.*

*II. For any other reliefs for
which the petitioner found entitled
to in the facts and circumstances of
the case.*



2. The brief facts, as culled out from the Writ petition, are that a notice (Aam Suchana) was published on the Notice Board at the Collectorate Compound, Darbhanga, inviting applications for grant of license to run PDS shops for the areas mentioned in the notice. The said notice was also uploaded on the website of the Darbhanga Collectorate with an application form attached to it. The time period prescribed for submitting the application in the attached performa was from 01.06.2017 to 21.06.2017. The petitioner, being desirous of obtaining the license for PDS shop in the locality, came to know about the Aam Suchana regarding the PDS dealer on 19.06.2017. Thereafter, he downloaded the performa, filled it, and sent the application through post on the last date i.e., 21.06.2017.

3. A detailed counter affidavit has been filed by the Learned counsel for the respondent, contending that as per the advertisement/ notification, the application had to be received by



the concerned office on or before 21.06.2017. As the petitioner's application was not received by the authority within the stipulated time, the same could not be entertained, and therefore, prayed to dismissed the Writ petition.

4. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

5. It is the specific contention of the Learned counsel for the petitioner that, due to lack of wide publicity, he was unaware of the publication of the PDS dealership notice, and contends that as he sent the application through post on the last date, it should be considered.

6. The notification is of the year 2017 and there is no interim order in favour of the petitioner till date. Even, the counter affidavit disclose that his application was not received by the concerned office before 21.06.2017. The petitioner cannot claim, as a matter of right, that the authority be directed to receive his application when it was not received within the stipulated



time. As there is no merit in the Writ petition, the Writ petition is dismissed as it is devoid of merits.

(G. Anupama Chakravarthy, J)

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