

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1103 of 2026

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Dharmshila Devi wife of Ashok Ray and daughter-in-law of late Tribhuwan Ray, resident of village-Pachain Mahesh ward no.09, P.O. Basra, Police Station-Rajapakar, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Vaishali.
3. The District Supply Officer, Vaishali.
4. The Sub-Divisional Officer, Mahua, District-Vaishali.
5. The Block Development Officer, Rajapakar, District-Vaishali.
6. The Block Supply Officer, Rajapakar, District-Vaishali.
7. Musmat Samudri Devi wife of late Tribhuwan Ray, resident of village-Dumari, Police Station-Rajapakar, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.
For the Respondent/s : Mr. Gyan Prakash Ojha, GA (07)

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

4 23-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. With the consent of both the parties, this writ
application is being disposed of at the admission stage itself.

3. This writ application has been filed for the
following reliefs:-

*“i. ...For issuance of an appropriate writ in the
nature of certiorari for quashing the P.D.S.
License No. 01 of 2018 issued by the Sub-
Divisional Officer, Mahua, District- Vaishali in
the name of Samudri Devi (respondent no.7),*



who is not entitled for the same for the reason that she is second wife of the original P.D.S. license holder, namely, Tribhuwan Ray.

ii. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to grant license of Public Distribution System's shop in the name of this petitioner on compassionate ground as the Public Distribution System's shop license no.01 of 2010 was running in the name of late Tribhuwan Ray, the father-in-law of this petitioner, who died and only this petitioner is entitled to run the Public Distribution System's shop.

iii. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities to consider the claim of the petitioner for grant of license of Public Distribution System's shop on compassionate ground after death of her father-in-law late Tribhuwan Ray, who is suffering a lot after death of her father-in-law and only the livelihood of her family.

iv. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities to dispose off the application of the petitioner which is pending before the respondent nos. 2 and 4 with reasoned and speaking order.

iv. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case."

4. At the outset, learned counsel appearing on behalf of the petitioner fairly submits that the petitioner may be



permitted to file a fresh representation annexing all the documents in support of his claim before the District Magistrate, Vaishali i.e. respondent no.2 and appropriate direction may be issued to dispose of the same within a fixed time frame, after giving an opportunity of hearing to the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a fresh representation before the District Magistrate, Vaishali i.e. respondent no. 2 within fifteen (15) days from today and if such a representation is filed within the stipulated time then the District Magistrate, Vaishali, i.e. respondent no. 2 is directed to dispose of the same within a period of three months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the District Magistrate, Vaishali i.e. respondent no. 2 should be a reasoned and speaking order.



8. This Court has not expressed any opinion on the merit of the case including maintainability of the writ application.

9. With the aforesaid observation/direction and liberty granted, this writ application is disposed of.

10. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Girijish Kumar, J)

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