

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.106 of 2025

In
Civil Writ Jurisdiction Case No.12517 of 2023

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Ganesh Rai @ Ganesh Roy Son of Late Ram Lakhan Rai @ Ram Lakhan Roy Resident of Village- Arapatti (Thanwar), Post Arapatti, P.S.- Mahishi, District-Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. Commisioner, Koshi Division, Saharsa.
3. District Magistrate, Saharsa.
4. Additional Collector, Saharsa.
5. District Supply Officer, Saharsa.
6. Sub-Divisional Officer, Saharsa.
7. Block Supply Officer, Mahishi, District-Saharsa.
8. Circle Officer, Mahishi, District-Saharsa.
9. Niraj Kumar Roy Son of Harshit Roy Resident of Village-Thanwar, P.O.- Arapatti, P.S.- Mahishi, District-Saharsa.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Prabesh Sharma, Advocate Mr.Subesh Sharma, Advocate
For the Respondent/s	:	Mr.S Raza Ahmad (AAG 5) Mr. Alok Ranjan AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-02-2026

This Letters Patent Appeal has been filed challenging common order dated 17.12.2024 passed in CWJC No. 8949 of 2023 along with CWJC No. 12517 of 2023 as it appears that both the writ petitions were filed for setting aside the order of



the learned Commissioner, Koshi Division, Saharsa which is dated 09.06.2023, in Supply Revision Case No. 116 of 2023 by which the appointment of the foodgrain dealer under Public Distribution System, 2016 was set aside and the learned District Magistrate, Saharsa was directed to initiate the appointment of appellant as food grain dealer for village Arapatti under Mahisi block.

2. Learned Single Judge disposed of both the writ petitions by a common order and it was observed that since the application submitted by the petitioner was defective and all the columns were not filled out specifically with regard to caste reservation and since they were claiming benefit on the ground of such reservation, the Court was of the view that the Divisional Commissioner, Koshi Division had rightly set aside the selection of the petitioner and directed for a fresh selection process to be made as the entire selection process was not properly conducted. The common order which was also passed in CWJC No. 12517 of 2023 in respect of Niraj Kumar Roy was challenged in L.P.A No. 83 of 2025 and the same was disposed of by a Division Bench of this Court on 21.11.2025. The Division Bench found no illegality or perversity in the order passed by the learned Single Judge and accordingly, affirmed



the same.

3. Since the common order passed in the writ petitions were challenged by the petitioner of CWJC No. 12517 of 2023 in L.P.A No. 83 of 2025 and the said L.P.A has been dismissed on the ground that there was no illegality or perversity in the order passed by the learned Single Judge, therefore, a different view cannot be taken in this L.P.A.

4. Accordingly, the present L.P.A stands dismissed and the order passed by the learned Single Judge dated 17.12.2024 in CWJC No. 8949 of 2023 stands confirmed.

(Sangam Kumar Sahoo, CJ)

(Alok Kumar Sinha, J)

ranjan/-

AFR/NAFR	
CAV DATE	NA
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