

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14188 of 2019**

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Rajeshwar Paswan S/o Sri Ram Nandan Paswan Resident of Vill.  
Dekhwaha,PS Islampur,Dist.Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary,Department of Food and Civil Supplies, Govt. of Bihar,Patna
2. The District Magistrate cum Collector, Nalanda
3. The District Supply Officer, Biharsharif,Nalanda
4. The Sub-Divisional Officer, Hilsa,Nalanda
5. The Block Development Officer, Islampur,Nalanda
6. The Block Supply Officer, Islampur Block,Nalanda

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Anand Kumar Ojha, Sr. Adv.<br>Mr. Ashok Kumar Karn, Adv.<br>Mr. Abhishek Kumar, adv.<br>Ms. Saumya Poddar, Adv. |
| For the Respondent/s | : | Mr.Arvind Ujjwal (Sc4)                                                                                             |

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY**

**ORAL JUDGMENT**

**Date : 08-07-2026**

1. The Writ petition has been filed seeking quashing of the decision of the District Level Selection Committee dated 24.01.2019, contained in Memo No. 129 dated 29.01.2019, to the extent it relates to the petitioner, and the consequential Letter No. 939 dated 29.04.2019. The petitioner has further prayed for a direction to the respondent authorities to restore P.D.S. Licence No. E-01/2011 and permit him to conduct his



business without any interruption.

2. During the pendency of the Writ petition, in view of the subsequent developments, I.A. No. 01 of 2025 has been filed seeking amendment of the relief portion of the writ petition in light of the order dated 11.02.2025, inasmuch as the petitioner intends to seek a direction to the respondent authorities to consider his case for grant of a licence against the existing vacancies.

3. It is contended by the Learned Senior Counsel, Mr. Anand Kumar Ojha, that the licence of the petitioner was cancelled by the District Level Selection Committee in light of the order dated 04.07.2014 passed in C.W.J.C. No. 13504 of 2010, followed by the order dated 02.04.2018 passed in L.P.A. No. 819 of 2017. It is further contended that the cancellation of the petitioner's licence was as per the orders of this Court and not on account of any adverse material found against him. Thereafter, Reena Kumari, the petitioner in CWJC No. 13504 of 2010, was appointed as the P.D.S. dealer. It is further submitted that, during the



pendency of the present Writ petition, several irregularities were found against Reena Kumari, and consequently, her P.D.S. licence was also cancelled. Therefore, the Learned Senior Counsel for the petitioner prayed that the respondent authorities be directed to consider the representation to be filed by the petitioner on its own merits and pass an appropriate order.

4. On perusal of the record, it is evident that both the petitioner and Reena Kumari had participated in the selection process. Initially, Reena Kumari, who was the Writ petitioner in CWJC No. 13504 of 2010, was appointed as the P.D.S. dealer. However, on account of the pendency of a criminal case against her husband, her P.D.S. licence was cancelled, and this petitioner was granted the P.D.S. licence in her place. Being aggrieved by the same, Reena Kumar filed C.W.J.C. No. 13504 of 2010, and a co-ordinate Bench of this Court set aside the order of the cancellation contending that vigorous liabilities are not applicable in criminal law, and that her license



could not be cancelled. Being aggrieved by the same, the State preferred an LPA No. 819 of 2017, which was also dismissed, affirming the orders of the Learned Single Judge.

5. Pursuant to the orders passed in CWJC No. 13504 of 2010 and L.P.A. No. 819 of 2017, the licence of the petitioner was cancelled, and Reena Kumari was restored as the P.D.S. dealer. Subsequently, the respondent authorities found material irregularities in the functioning of the P.D.S. shop of Reena Kumari, and her licence was also cancelled.

6. The submission of the Learned Senior Counsel for the petitioner is that the petitioner intends to submit an appropriate representation before the District Level Selection Committee.

7. Admittedly, no person has been appointed as the P.D.S. dealer for the said place. Therefore, this Court directs the petitioner to submit a proper representation before the District Level Selection Committee within one month from the date of receipt of this order. In turn, the



concerned authority shall pass an appropriate order on the representation of the petitioner within three months from the date of filing of the representation.

8. With the aforesaid observations, the writ petition stands disposed of.

9. The Interlocutory Application(s), if any, shall also stand disposed of.

**(G. Anupama Chakravarthy, J)**

AMANDEEP/-

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