

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12638 of 2025

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Md. Jamil Akhtar (Male), Son of Late Shamsul Hoda Ansari, resident of Village Arna, P.O Sobhepur, P.S Bheldi, District Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Public Distribution, Govt. of Bihar, Patna.
2. The Special Secretary, Department of Food and Public Distribution, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran at Chapra.
4. The District Supply Officer, Saran, at Chapra.
5. The Sub. Divisional Officer, Sadar Chapra, District Saran.
6. Block Supply Officer, Parsa, District Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate.

For the Respondent/s : Mr. Additional Advocate General (12) with
Mr. Ebadur Rahman Shakeb, AC to AAG 12.

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

3 12-02-2026 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“...for issuance of the writ/writs, order/orders or direction/directions in the nature of the writ of Mandamus, commanding and directing the respondent authorities specially the SDO, Saran Sadar, Saran (Respondent No. 5) to issue the PDS License to the petitioner on compassionate ground taking into consideration that the petitioner fulfills the criteria under Clause 2.5 of the Public Distribution Control order, 2016 as his mother Aashiya Khatoon, who



was holding the PDS license No. 84/2016-2018 which was successfully run by petitioner's mother since 2010 till her death i.e. 14.06.2018.

Further, the respondents were directed to consider the claim of the petitioner to be selected as PDS License holder in place of his deceased mother Aashiya Khatoon on compassionate ground, as the petitioner has applied within time for the same in prescribed format on 19.08.2018, but no decision has been taken by the concern authority.”

3. Learned counsel appearing on behalf of the petitioner submits that the mother of the petitioner was a PDS licensee and she has expired on 14.06.2018, thereafter, the petitioner has made an application seeking appointment of compassionate ground on 19.08.2019. However, the authorities till date have not considered the said application made by the petitioner nor passed any orders. Learned counsel submits that the petitioner is having the necessary qualifications. Learned counsel submits that left with no other option the petitioner had to approach this Hon'ble Court by way of the present writ petition. Learned counsel submits that the present writ petition may be disposed of directing the respondent-authorities to consider the application made by the petitioner by fixing a time frame.

4. In the counter-affidavit filed by the respondent-authorities, the fact that the petitioner has made his application



under compassionate appointment after the death of his mother, who was the PDS dealer has not been denied. The counter-affidavit specifically states that the application of the petitioner is under consideration and the necessary action taken for completing the formalities and decide the claim of the petitioner.

5. Having regard to the same, the present writ petition is disposed of directing the Respondent-SDO Saran Sadar, Saran (Respondent No. 5) to take necessary steps for submitting the proposal for allotment of the PDS licence in the name of the petitioner on compassionate grounds to the District Magistrate, Saran at Chapra i.e. Respondent No. 3 herein who is also the Chairman of the District Level Selection Committee (DLSC) as expeditiously as possible preferably within a period of 4 weeks from the date of the receipt of the copy of this order, if not already sent, if any such proposal is received by the Collector-cum-District Magistrate-cum-Chairman of the DLSC (Respondent No. 3), the Collector shall pass necessary orders on the said proposal as expeditiously as possible preferably within a period of 6 weeks thereof and issue necessary orders. In case, the claim of the petitioner is accepted, the authority shall endeavour to issue the necessary license immediately. Any decision taken shall be communicated to the party.



6. With the above directions, the present Writ Petition
stands disposed of.

(A. Abhishek Reddy, J)

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