

(2019) 12 PAT CK 0054

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 5820 Of 2019

Bibi Rahat Ara

APPELLANT

Vs

State Of Bihar And Ors Through The Secretary And Ors

RESPONDENT

Date of Decision : 02-12-2019

Acts Referred:

Bihar Targeted Public Distribution System (Control) Order, 2016 — Section 9

Citation : (2019) 12 PAT CK 0054

Hon'ble Judges : Ashutosh Kumar, J

Bench : Single Bench

Advocate : Md. Ziaul Quamar, Arvind Ujjwal

Final Decision : Dismissed

Judgement

The petitioner has challenged the grant of PDS license to private respondent no. 6 on the ground that her exclusion is on a non est ground.

It appears that initially the candidature of the petitioner was selected for grant of license. However, later she was non-suited on the ground of her not answering questions in the field of computer to the satisfaction of the interviewing authority.

Learned counsel for the petitioner submits that the knowledge of computer of an applicant is not required to be tested. The certificate in that regard by any institute should suffice.

According to Section 9 of the Bihar Targeted P.D.S. (Control) Order, 2016, in the event of a candidate having computer proficiency, he/she would be given preference over the other candidates.

In the present case, there is no averment that the private respondent no. 6 is not computer educated or that the petitioner is better qualified than private respondent no. 6. There may not be any requirement of subjecting the aspirants/candidates to any regular test of computer but for the authority to grant license in the event of many persons being computer literate, this perhaps would be the

only way of eliminating persons and choosing the best. This appears to have been done in the present case.

No fault could be found in the aforesaid scheme in selecting private respondent no. 6.

No case has been made out by the learned counsel for the petitioner for any interference with the decisions of the respondents in granting PDS license to private respondent no. 6.

There is no merit in this petition and the same is dismissed.