
(2020) 02 PAT CK 0037

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 23287 Of 2019, Civil Writ Jurisdiction Case No. 14609 Of 2017

Kamlesh Kumar Singh And Ors

APPELLANT

Vs

State Of Bihar Through Secretary And Ors

RESPONDENT

Date of Decision : 04-02-2020

Acts Referred:

Citation : (2020) 02 PAT CK 0037

Hon'ble Judges : Ashutosh Kumar, J

Bench : Single Bench

Advocate : Vijay Anand, Ajay Kr. Tiwari, Alok Ranjan, Arun Kumar Bhaga, Nutan Sahay, Majid Mahboob Khan, Alok Ranjan

Final Decision : Disposed Of

Judgement

Counter affidavit in C.W.J.C. No. 14609 of 2017 has been filed during the course of the day.

Let it be taken on record.

C.W.J.C. No. 23287 of 2019 (Kamlesh Kumar Singh v. State of Bihar) and C.W.J.C. No. 14609 of 2017 (Reyaz Ahmad v. State of Bihar) have been

taken up together. For sheer necessity, C.W.J.C. No. 14609 of 2017 is being disposed of first as the relief prayed for in C.W.J.C. No. 23287 of 2019

is dependent upon any decision passed in the Writ Petition No. 14609 of 2017.

Reyaz Ahmad (C.W.J.C. No. 14609 of 2017)

The petitioner had challenged the advertisement inviting persons for being considered for selection as licensees under the Public Distribution System

on the sole ground that the vacancies were calculated without observing the roster for reservation.

The counter affidavit which has been filed today in Court indicates that the roster of reservation was provided by the government which in turn was

provided to the relevant department for issuance of advertisement for the vacancy in the number of licensees for particular areas.

There is no reason to dispute the aforesaid factual statement by the state and therefore, the writ petition is not required to be adjudicated any further.

The petition is dismissed in the light of the averments made in the counter affidavit which has not been challenged by the learned counsel for the petitioner.

Kamlesh Kumar Singh (C.W.J.C. No. 23287 of 2019)

The petitionersâ?? claim that they have been selected for being issued licenses but no license has been issued to them only for the reason that in the

earlier case Reyaz Ahmad (C.W.J.C. No. 14609 of 2017), an order was passed by a bench of this Court to continue with the process of selection but

till the disposal of the aforesaid writ petition, no license be granted to any person.

With the dismissal of the aforesaid writ petition, no such embargo now remains in force and if the petitioners are the selected candidates, they ought to

be given the license as early as possible. Any delay in the matter would only disrupt the supply of essential commodities to the targeted population.

The petitioners are therefore directed to make available a copy of this order to the concerned respondent who shall take steps for grant of license to

the petitioners after ensuring that they have been properly selected.

With the aforesaid direction/observation, the writ petition is disposed of.