



2025:JHHC:8736

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.3876 of 2021
With
I.A. No.4507 of 2023

Geeta Devi, D/o Late Chotan Prasad, W/o Sri Moti Lal Sah,
resident of Mohalla Bhedwa Nawadih, Ward No.06, Madhupur,
P.S. Madhupur, District Deoghar (Jharkhand).

..... Petitioner.

-Versus-

1. The State of Jharkhand, through the Chief Secretary,
Government of Jharkhand, Ranchi.
2. The Secretary, Food, Public Distribution and Consumer Affairs
Department, Dhurwa, Ranchi.
3. The Deputy Commissioner, Deoghar.
4. The District Supply Officer, Deoghar.
5. The Block Supply Officer, Madhyupur, District Deoghar.

..... Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. P. C. Sinha, Advocate
For the State : Mr. Sudhanshu Kr. Singh, AC to SC-III

Order No.10

Date: 18.03.2025

1. The present writ petition has been filed for issuance of direction upon the respondent no.4-District Supply Officer, Deoghar to issue licence in favour of the petitioner separately from her husband by converting her Licence No.45 of 1990 for 'Kerosene Oil Thela Vendor' to the licence for 'Fair Price Shop' as per the decision taken by the respondent no.2 vide letter no.645 dated 21st February, 2009.
2. Heard learned counsel for the parties and perused the materials available on record.
3. Mr. Sudhanshu Kumar Singh, learned A.C. to S.C.III, appearing on behalf of the respondents submits that as per Clause 11(i) of the Jharkhand Targeted Public Distribution System (Control) Order, 2019 (hereinafter to be referred as 'the Control Order,



2019'), a PDS shop cannot be allotted to more than one member of a family. The word 'Family' has also been defined as husband, wife and their dependent children. The said definition also finds place in Clause 11(iii) of the Jharkhand Targeted Public Distribution System (Control) Order, 2017. Hence, the petitioner's prayer for converting 'Kerosene Oil Thela Vendor' licence to a PDS licence is not tenable in law.

4. This Court finds force in the submission of learned counsel for the State. Admittedly, the husband of the petitioner is having PDS licence i.e. PDS Licence No.36 of 1989 in Madhupur. Clause 11(i) of the Control Order, 2019 specifically mentions that in one family, PDS shop will not be allotted to more than one member and the word 'Family' has been defined as the person himself/herself, his/her husband/wife and their unmarried children. Under the said circumstance, the petitioner cannot claim conversion of her 'Kerosene Oil Thela Vendor' licence to a PDS licence.
5. The writ petition, being devoid of merit, is, accordingly, dismissed.
6. I.A. No.4507 of 2023 is also dismissed.

(Rajesh Shankar, J.)

Sanjay/