

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5627 of 2020

Veera Yadav

... .. Petitioner/s

Versus

The Chief Secretary, Government of Bihar, Main Secretariat, Patna-800 015.
& Ors.

... .. Respondent/s

Appearance :

For the petitioner : Mr. Shaswat, Advocate
Mr. Akash Keshav, Advocate

For the State (respondent Nos.1 to 3)

: Mr. Ajay, Government Advocate-5

For the Union of India

(Respondent Nos.4 and 5) : Mr. S. D. Sanjay, Addl. S.G.
Mr. Ratnesh Kumar Singh, CGC

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judge through Video Conferencing from their residential offices/residences. Also the Advocates joined the proceedings through Video Conferencing from their residences/offices.)

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 20-05-2020

Heard Sri Akash Keshav, learned counsel for the petitioner, Sri Ajay, learned Government Advocate-5 for the respondent nos.1 to 3, and Sri S. D. Sanjay, learned Additional Solicitor General of India assisted by Sri Ratnesh Kumar Singh, learned Central Government Counsel, for the respondent nos.4 and 5.

Shri Shashwat, learned counsel for the petitioner



states that an Interim Application was filed in the morning which we find is not on the record. In the application, it is alleged that at least six persons (transgender) were not supplied food-grain only for the reason that they were not possessing the Ration Card.

Be that as it may, Shri Ajay, learned Government Advocate states that copy of the application already stands forwarded to the authority concerned and that he has personally taken up the matter with the District Supply Officer and the grievance would be redressed immediately.

We find that Shri Ajay, learned Government Advocate has been taking a proactive role in the matter and even in the past has been instructing the Officer to meet with the difficulties and problems of the transgender(s). As such no further orders are required to be passed in the application.

Shri Ajay, learned Government Advocate invites our attention to that part of the counter affidavit wherein it stands mentioned that at this point in time, the Government of Bihar has taken a decision of distributing food grains to all who are otherwise eligible and entitled to, even if they do not possess the Ration Card. Impliedly, possessing the Ration Card is not a condition precedent for availing the facility of receiving the



food grains under various policy and schemes of the Government of Bihar.

It shall be open for the petitioner to invite attention of the authorities towards any further difficulty which any transgender may be facing in the State of Bihar and we are sure that Shri Ajay, learned Government Advocate, at his own level would be able to persuade the authorities, particularly when we find that, at this point in time, the Government of Bihar has taken adequate measures in meeting with the immediate requirements of the members of the transgender community residing in different parts of Bihar.

Needless to add, all policies framed and instructions issued by the Government, be it Central or State, shall be implemented in letter and spirit and no member of the transgender community shall be deprived of his Ration only on account of such status or not possessing the Ration Card.

List on 22nd of June, 2020.

(Sanjay Karol, CJ)

(S. Kumar, J)

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