

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15870 of 2017

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Manoj Mandal, S/o Pratap Mandal, Resident of Village- Mohanpur, Police
Station- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Civil Supply
Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply Department, Government of
Bihar, Patna.
3. The Commissioner, Bhagalpur Division, Bhagalpur.
4. The District Magistrate, District- Bhagalpur.
5. The District Public Grievance Redressal Officer, Bhagalpur.
6. The District Supply Officer, Bhagalpur.
7. The Sub-Divisional Officer, Bhagalpur Sadar, Bhagalpur.
8. The Block Supply Officer, Block- Goradih, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Advocate
For the Respondent/s : Mr. S.Raza Ahmad -AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-07-2018

Inter alia contending that there is illegality in the
distribution of food grains and other supplies by a particular



PDS Dealer who has not been arrayed as respondent in this case and complaining irregularities by the said dealer, this petition has been filed in public interest.

Apart from the fact that the public spirited antecedent and social activities of the petitioner are doubtful and not indicated in the writ petition, we are of the considered view that the distribution of food grains by the PDS Dealer is controlled by a statutory scheme formulated under the Essential Commodities Act and the statutory orders contained therein and a complaint redressal mechanism authorizing a statutory authority to cause inspection of the PDS shop and take action are available.

That being so, interference into the matter in a Public Interest Litigation, exercising our extraordinary jurisdiction under Article 226 of the Constitution is not called for. The aggrieved persons may make a complain to the statutory authority and we direct the statutory authority to enquire into the complaint in accordance with law.

Learned counsel appearing for the State points out that in the matter already investigation has been done and no irregularity has been found.

If that be so, it is for the statutory authority to



proceed in the matter in accordance with law, if a complaint is
filed.

With the aforesaid, we dispose of the writ petition.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-R.S.Sen

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	19.07.2018
Transmission Date	

