

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4495 of 2019

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Jageshwar Yadav S/o Late Rasiklal Yadav Resident of Village-
Ghoghardiha,P.O. Ghoghrdiha,Ward No.01,P.S. Ghoghardiha,Dist.-
Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar,Old Secretariat,Patna
2. The Principal Secretary, Department of Food and Civil Supplies,Govt. of Bihar
3. The District Magistrate, Madhubani
4. The District Supply Officer, Madhubani
5. The District Treasury Officer, Madhubani
6. The Cooperative Officer, Madhubani
7. The Marketing Officer, Madhubani
8. The Sub-Divisional Officer, Madhubani Sadar
9. The Sub-Divisional Officer, Benipatti
10. The Sub-Divisional Officer, Jainagar
11. The Sub-Divisional Officer, Jhanjharpur
12. The Sub-Divisional Officer, Phulparas
13. The Block Development Officer, Phulparas
14. Ramesh Kumar Das S/o Shri Khikhar Das Resident of Village-
Ghoghardiha,P.O. and P.S. Ghoghardiha,Dist.-Madhubani
15. Radheshyam Yadav S/o Sri Suner Yadav Resident of Village-
Ghoghardiha,P.O. and P.S. Ghoghardiha,Dist.-Madhubani
16. Vikas Kumar S/o Sri Sunder Yadav Resident of Village-Sangi,P.O. and P.S.
Ghoghardiha,Dist.-Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ugranath Mallik
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-07-2019 In the nature of the controversies raised before this

Court, learned counsel for the petitioner submits that he had

submitted his objection to the Sub-Divisional Officer, Phulparas



vide Annexure-3 to the writ application, but the same has not been considered.

Learned counsel for the State submits that on a reading of Annexure-4 which is the final merit list it would appear that the objection of the petitioner was considered and only thereafter the selection has been made. He further submits that in case the petitioner is aggrieved by rejection of his objection, he has a remedy by filing an appeal under Rule 32(iii) of the Bihar Targeted PDS (Control) Order, 2016 before the Collector-cum-District Magistrate (respondent no.3).

In the given facts and circumstances of the case, since the objection of the petitioner has already been rejected and a statutory remedy of appeal is available to the petitioner and this Court does not find any error of jurisdiction, the Court is not willing to entertain the writ application. However, liberty is granted to the petitioner to apply for the statutory remedy of appeal within a period of 60 days from today, if so advised, and in case such an appeal is preferred within the aforesaid period the same shall be considered in accordance with law and in case any question of limitation arises for consideration, the same will be considered keeping in mind that petitioner was pursuing his remedy before this Court.

Normally the Court is providing 30 days time for



applying such remedy, but because learned counsel for the petitioner has submitted that the area in question is under flood, 60 days time has been granted to the petitioner.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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