

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5679 of 2019

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Sangeeta Kumari @ Sanjeeta Devi D/o of Ram Lal Ram, Wife of Kamlesh Ram Resident of Village- Bhalihiya, P.O. Parasurampur, P.S. Palnawa, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Govt. of Bihar, Patna.
3. The District Magistrate-cum-Chairman, District Level Selection Committee (P.D.S. License), East Champaran at Motihari.
4. The Sub-Divisional Officer-Cum-Member- District Level Selection Committee (P.D.S. License), East Champaran at Motihari.
5. The District Supply Officer, East Champaran at Motihari.
6. Geeta Devi W/o Vijay Kumar R/o Village- Raj Lakshmiapur Lachhumanwa, P.O. Parasurampur, P.S. Palnawa, District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-11-2019 It appears that the petitioner is aggrieved by and dissatisfied with the selection of respondent no.6 for grant of licence under the Bihar Targeted PDS (Control) Order, 2016 (hereinafter referred to as the 'Control Order, 2016').

Learned counsel for the State submits that the petitioner has an alternative statutory remedy under Rule 32 of the Control Order, 2016 by filing an appeal before the District Magistrate, East Champaran at Motihari (respondent no.3). It is submitted that the respondent no.3 may consider all such



objections of the petitioner and can record a finding after going into the submissions of both the parties, therefore, this writ application at this stage need not be entertained.

Having heard learned counsel for the petitioner and learned counsel for the State, this Court finds substance in the submissions of learned counsel for the State. The petitioner has got an alternative statutory remedy of appeal which she may avail by filing an appropriate application/appeal before the respondent no.3 within a period of 30 days from today. If such an application/appeal is preferred by the petitioner before the respondent no.3, the same shall be considered on its own merit and will be disposed off after hearing all concerned including the respondent no.6.

In case any question of limitation arises for consideration, the same will be considered keeping in view that the petitioner was pursuing her remedy before this Court.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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