

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20461 of 2021

Sarita Kumari, Wife of Amit Kumar Yadav, Resident of Village- Hathaura,
Gram Panchayat- Hathaura, Block- Husainganj, P.S.- Husainganj, District-
Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Sub Divisional Officer, Siwan Sadar, District- Siwan.
5. Umrana Gazala Parveen Wife of Aiyaz Ahmed Resident of Village-
Hathaura, Gram Panchayat- Hathaura, Block- Husainganj, P.S.- Husainganj,
District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

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

Date : 08-02-2022

Heard learned counsel for the parties.



The petitioner has prayed for the following relief/s :-

That this is an application on behalf of petitioner for issuance of a writ of Mandamus directing the licensing authority to cancel the selection of respondent no.5 for grant of license of PDS Shop in terms of recommendation of District level Selection Committee dated 12.12.2020 and the respondents be further directed to issue license in favour of petitioner in terms of Rule 5 of the Bihar Targeted PDS (Control) Order, 2016 AND petitioner further prays for issuance of any other writ/writs, order/orders, direction/ directions which the Hon'ble court may deem fit and proper.

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, more so, in view of the disputed questions of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law under the Bihar Targeted Public Distribution System (Control) Order, 2016.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in



appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	11.02.2022
Transmission Date	

