

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7514 of 2023

=====

Punam Devi @ Poonam Devi, Wife of Mahendra Das Resident of Village -
Ramphal Sah Tola Ward No. 2 Saharsa P.S. - Saharsa District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary old Secretariat Bihar Patna.
2. The Principal Secretary Food and Supply Department Govt. of Bihar, Patna.
3. The Director Food and Supply Department Govt of Bihar, Patna.
4. The Commissioner Koshi Division Saharsa.
5. The District Magistrate Saharsa.
6. The District Supply Officer Saharsa.
7. The Sub Divisional Officer Saharsa.
8. Supply Inspector Urban Area Saharsa.
9. The District Manager State food Corporation Saharsa.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha, Advocate.
For the Respondent/s	:	Mr.Arvind Ujjwal, SC-4.
For the BSFC	:	Mr. Shailendra Kumar Singh, Advocate.
		Mr. Utkarsh Utpal, Advocate.
		Ms. Usha Kumari, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 22-09-2023

Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the
following reliefs:-

*“(i) To issue an appropriate order/s,
direction/s including a writ preferably in nature
of Mandamus commanding and directing upon
the respondents to make the payment of a sum of
Rs. 2, 75, 278/- (Rupees Two lacs Seventy Five
thousand Two hundred and seventy Eight) only
to the petitioner who has supplied the material
in the construction work of Construction of*



R.C.C. Drainage culvert near Suita enterprises or Maa Tara Enterprises in Ward No. 20 in Suta Patti Mohalla under M.M.C., Muzaffarpur in the year 2017. (ii) To direct the respondents to make the payment of above mentioned admitted dues of the petitioner with penal interest on account of delay and laches on the part of respondents.”

3. Without going into the merits or demerits of the case, having regard to the fact that the petitioner has an alternative and effective remedy of filing a representation before the Principal Secretary, under **Rule 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016** against the impugned order. The present writ petition is disposed off granting liberty to the petitioner to file a representation before the Principal Secretary challenging the order of the Revisional/Appellate Authority and order of cancellation withing a period of twelve weeks from today. On such representation being made, the Principal Secretary shall pass necessary orders strictly in accordance with law.

4. It is needless to mention that before passing any order the petitioner shall be put on notice and given an opportunity of hearing. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of the representation. Any order passed shall be communicated to the party.



5. With the above observations, the present writ
petition stands disposed off.

(A. Abhishek Reddy , J)

shakir/-

U			
---	--	--	--

