

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8868 of 2023

Jyoti Singh Wife of Rahul Kumar Singh Resident of Village- Paharpur, Post Office- Khesrahi, Police Station- Baligaon, District- Vaishali at Hazipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Director, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Deputy Director, Food and Consumer Protection, Tirhut Division, Muzaffarpur.
4. The District Magistrate, District- Vaishali at Hazipur.
5. The Additional District Magistrate, (Supply), District- Vaishali at Hazipur.
6. The Sub- Divisional Officer, Mahua, District- Vaishali at Hazipur.
7. The Block Supply Officer, Patepur, Mahua, District- Vaishali at Hazipur.
8. Khushboo Singh, Wife of Rana Ranbir Singh Resident of Village- Pyarepur Paharpur, Post Office- Khesrahi, Police Station- Baligaon, District- Vaishali at Hazipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (Sc 4)

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

3 08-11-2023 Heard the learned counsels for the parties.

The present writ petition has been filed for the following relief(s):-

“That the petitioner craves indulgence of this Hon'ble Court for issuance of an appropriate writ in the nature of Mandamus or any other appropriate writ/writs, order/orders, direction/directions, command/commands for directing the respondents to cancel the merit list of Public Distribution System of Paharpur Village Panchayat Ladho



and further for direction to select the petitioner in merit list and issue licence of P.D.S. Shop in the name of petitioner.”

3. Even though the learned counsel appearing on behalf of the petitioner has argued at length on merits of the case, this Court is not inclined to go into the same as the petitioner has an alternative and efficacious remedy of filing a complaint before the Divisional Commissioner.

4. Learned counsel appearing on behalf of the respondents states that as per the amendment order *Bihar Targeted Public Distribution System (Control) Second Amendment Order, 2022*, the Divisional Commissioner is the competent authority for disposing off any complaint or representation made by an aggrieved party.

5. Without going into the merits or demerits of the case, having regard to the fact that the petitioner has a remedy of filing a complaint before the Divisional Commission as per the amendment made vide notification dated 21.07.2022 under Bihar Targeted Public Distribution System (Control) Second Amendment Order, 2022. The petitioner is directed to approach the Divisional Commissioner ventilating his grievance against a selection of the Respondent No. 8 as a PDS dealer within a period of four weeks from the date of receipt of a copy of this



order. On receipt of the complaint, the Divisional Commissioner shall pass orders strictly in accordance with law within a period of eight weeks thereof. It is needless to mention that before passing any order, all the parties shall be put on notice and given an opportunity of hearing, besides submitting their objections. Any order passed shall be communicated to the parties.

6. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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