

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8341 of 2023

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Amit Kumar Son of Vindeshwari Rajak, Resident of Village-Chhoti Baliya, Molana Chak, P.O.-Lakhminia, Police Station-Baliya, District Begusarai, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar at Patna.
2. The Commissioner, Munger Division, District-Munger.
3. The District Magistrate, District-Begusarai.
4. The District Magistrate cum Chairman, P.D.S. License Committee, District-Begusarai.
5. The Sub Divisional Officer cum Licensing Authority Ballia, District-Begusarai.
6. The District Supply Officer, Begusarai, District-Begusarai.
7. Block Supply Officer, Ballia, District-Begusarai.
8. Ashish Kumar, S/o Jay Singh, Resident of Village-Chhoti Baliya, P.O.-Lakhminia, Police Station-Baliya, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nidhi Anand, Adv.
	:	Miss. Suruchi Anand, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY

ORAL ORDER

2 20-09-2023 Heard the learned counsels for the parties.

2. This writ petition has been filed for seeking the following relief(s):-

“i) For the issuance of writ in the nature of certiorari or any other appropriate writ to quash the entire seniority list of applicants published by Jilla Aapurti Saakha of District Begusarai for granting new license of Public Distribution



System Shop regarding the advertisement No. 01/2017-18.

ii) For the issuance of writ in the nature of mandamus or any other appropriate writ for commanding/directing the respondent to conduct a fresh selection process to find appropriate candidates to grant new license of Public Distribution System Shops for ward No.-12 of Nagar Panchayat Ballia and also to provide the petitioner a proper and fair chance to participate in the entire selection process on the basis of merits.

iii) For the issuance of writ in the nature of mandamus or any other appropriate writ for commanding/directing the respondent to do proper verification of certificates and all the related documents of all the applicants before publishing the seniority list of applicants and final merit list regarding the issuance new license of Public Distribution System Shop.

(iv) For the issuance of writ in the nature of mandamus or any other appropriate writ for commanding/directing the respondent to compete the entire selection process fairly and within a time limit.

(v) For any other direction, which your lordship may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner states that the petitioner may be permitted to make a representation before the Divisional Commissioner concerned,



and direction may be given to the Divisional Commissioner to pass appropriate orders on the representation of the petitioner.

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 competent authority for disposing of 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 Commissioner 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 within a period of four weeks from the date of receipt of the order. On receipt of the complaint, the Divisional Commissioner shall pass necessary orders strictly in accordance with law within a period of four weeks thereof. It is needless to mention that before any order is passed, all the parties shall be put on notice and given an opportunity of hearing and submit their objections. Any order passed shall be communicated to all the



parties.

6. With the above said directions, the writ petition stand disposed off.

(A. Abhishek Reddy, J)

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