

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12216 of 2023

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Upendra Prasad Yadav Son of Late Ram Ayodhya Prasad Yadav, Resident of
Village - Raghunathpur Bhelura, P.S. - Nabautpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Food and Consumer Protection
Department, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate cum Collector, Patna.
4. The Sub-Divisional Officer, Danapur.
5. District Cooperative Officer, Danapur, Patna.
6. District Supply Officer, Danapur, Patna.
7. Block Supply Officer, Nabautpur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhav Raj, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

2 18-09-2023 Heard the learned counsels for the parties.

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

*“1. That the petitioner seeks
indulgence of this Hon'ble High Court for
the following relief/s:*

*A. A writ in the nature of
Certiorari or any other appropriate writ/s,
order/s, direction/s:*

*i. For quashing the order dated
23.07.2021 in Supply Appeal No. 38 of 2019-
20 in the case of Upendra Prasad Yadav
versus State of Bihar whereby and where
under the appeal preferred by the Petitioner
was dismissed stating therein that there is no
good ground of interfering with the order
passed by the Sub-Divisional Officer, the*



Respondent No. 3 as the Petitioner was found unable to adduce any additional evidence before the court of Sub-Divisional Officer, Danapur, the Respondent No.3.

"Annexure- 8"

B. A writ in the nature of mandamus or any other appropriate writ/s, order/s direction/s, commanding the Respondent authorities for the following:

i. To treat the order contained in Annexure-7 to be nullity and non-est in the eye of law.

ii. To hold that the order as contained in Annexure-8 to be illegal, arbitrary and without jurisdiction.

iii. To direct the Respondent No.2 to adjudicate and decide the E.C. Supply revision case No. 150 of 2021 as expeditiously as possible by advancing all the points taken by the Petitioner.

iv. To allow the Petitioner to run his PDS shop by renewing the license which was cancelled arbitrarily.

(C) To any other relief/s to which the petitioner is found entitled to."

3. Learned counsel appearing on behalf of the petitioner states that the petitioner has already submitted a representation to the Commissioner, Patna Division, Patna (Respondent No.2) and direction may be given to the Commissioner, Patna Division, Patna (Respondent No.2) to pass appropriate order on the representation of the petitioner.

4. Learned counsel appearing on behalf of the respondents states that as per the amendment order under Bihar Targeted Public Distribution System (Control) Second Amendment Order, 2022, the Commissioner is competent



authority for disposing of any complaint or representation made by an aggrieved party.

5. Having regard to the above made submission, the Commissioner, Patna Division, Patna (Respondent No. 2) is directed to consider the representation made by the petitioner. The representation made by the petitioner may be treated as a complaint and the same shall be disposed off in accordance with law. The Respondent No. 2 shall put all the parties on notice including the petitioner herein before passing any order. The entire exercise shall be completed as expeditiously as possibly preferably within a period of six weeks from the date of the receipt/production of the copy of this order.

6. Any order passed shall be communicated to the parties.

7. Accordingly, the present writ petition stands disposed off.

(A. Abhishek Reddy, J)

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