

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13258 of 2022

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Sushma Kumari W/o Mukesh Kumar Singh, Resident of Village and Post and
P.S.-Dev, District-Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad.
5. The District Supply Officer, Aurangabad.
6. The Sub Divisional Officer-cum-Licensing Authority, Aurangabad.
7. The Sub-Divisional Officer, Daudnagar, District-Aurangabad.
8. The District Co-operative Officer, Aurangabad.
9. The District Welfare Officer, Aurangabad.
10. The Executive Engineer, Public Health Engineering Department, Aurangabad.
11. The Deputy Development Commissioner, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

3 18-08-2023 The present writ petition is filed for following
relief(s):-

"(i) To issue an appropriate writ, order or direction upon the Respondents to Amend the order 15.06.2022 passed by Secretary to the Government, Department of Food & Civil Supply as contained in Memo No.- 2747 dated 16.06.2022 and include the



case and the name of the petitioner also whereby and where under ignoring the bonafide cause of the petitioner, no order with respect to the petitioner has been issued by the Respondent Principal Secretary.

(ii) To issue an appropriate writ, order or direction Commanding the Respondents appoint the petitioner as PDS Dealer on Centre No.-149 of Dev Sub-Division as no other candidate is better suitable then the petitioner.

(iii) To issue an appropriate writ, order or direction to the Respondents to issue an order of appointment/allotment of PDS shop to the petitioner forthwith without any further delay.

(iv) This Hon'ble Court may adjudicate and hold that in view of the fact that since the petitioner is most qualified fulfilling all the required criteria for the allotment of PDS shop as such respondent were duty bound to considered the case of the petitioner and allot the PDS shop to the petitioner against the Centre No.-149 of Dev block.

(v) This Hon'ble Court further adjudicate and hold that it was the duty of the Respondent Authorities to considered the objection raised by the petitioner on 06.05.2022 and



09.05.20022 before the Respondent Secretary, Food and Consumer Protection, Government of Bihar.

(vi) To award cost of litigation and suitable compensation to the petitioner for the mental and physical harassment caused to the Petitioner because of the inactions on the part of the Respondents.

(vii) To grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case."

Learned counsel for the respondents has stated that as per the amendment to the ***Bihar Targeted Public Distribution System (Control) Second Amendment Order, 2022***, any person has any grievance with regard to the merit list published by the District Supply Officer or the Sub-Divisional Officer, the remedy is to approach the Divisional Commissioner by way of complaint.

Having regard to the above made submissions, the petitioner is directed to approach the Divisional Commissioner within a period of two weeks from the date of the receipt of the copy of this order for ventilating his grievances along with the supporting documents and on such complaint being received, the Divisional Commissioner shall dispose of the complaint



filed as expeditiously as possible preferably within a period of 30 days from the date of receipt of the said complaint.

It is needless to say that before passing any order, the party shall be put on notice and given an opportunity of hearing.

With the above directions, the writ petition stands disposed of.

(A. Abhishek Reddy , J)

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