

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11902 of 2023

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Raj Kumar Choudhary, S/o Late Yugal Choudhary, Resident of Khaira, P.S.
and Anchal-Rajoun, P.O.-Patsouri Khaira, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Banka.
2. The Collector, Banka.
3. Sub Divisional Officer, Banka.
4. The District Supply Officer, Banka.
5. Block Supply Officer, Banka.
6. Suresh Das, S/o Late Ram Lal Harijan, resident of Khiddi, P.O.-Rajoun,
P.S.-Rajoun, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Adv
For the Respondent/s : Mr.Arvind Ujjwal (SC 4)

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

2 16-10-2023 Heard the learned counsels for the parties.

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

- “i. For issuance of writ of certiorari for quashing the order of selection dated 13.06.2023 issued by the District Supply Officer Banka contend in Memo No. 299 dated 13.06.2023 by which he has been pleased to cancel the selection of petitioner on the post of dealer/vendor of Public Distribution System of Block Rajoun, District-Banka.*
- ii. For issuance of writ of certiorari for*



quashing the selection of respondent No.2 on the post of vendor of Public Distribution System of village Khaira Block Rajoun District- Banka who has got less point than the petitioner.

iii. For issuance of writ of mandamus Commanding the respondent authority particulars respondent No. 2 to 5 restraining them not to allow the respondent No.6 to discharge his duty as the dealer of Public Distribution System of village Kahira Anchal Rajoun District-Banka”

3. Learned counsel appearing on behalf of the petitioner states that the petitioner may be permitted to make a representation/complaint before the Divisional Commissioner concerned, and direction may be given to the Divisional Commissioner to pass appropriate orders on the representation/complaint 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)

Bhardwaj/-

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