

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2715 of 2024

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Gunja Kumari (female), aged about 30 years, W/o - Vikash Kumar, R/o Village - Bariyarpur, P.O. - Gaushpur, P.S. - Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Vaishali at Hajipur.
4. The Sub Divisional Officer, Mahua, Dist. - Vaishali.
5. The District Selection Committee through its Chairman cum S.D.O, Mahua, Dist. - Vaishali.
6. The District Food Supply Officer, Vaishali at Hajipur.
7. Madhu Kumari, W/o Sanjeev Kumar Ram, R/o Vill - Bariyarpur, P.O. - Gaushpur, P.S. - Rajapakar, Dist. - Vaishali Kanhauli Dhanraj, P.S. Mahua, Dist. - Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No.II. Smt. Kumari Rupa, Adv.
For the Respondent/s	:	Mr. Standing Counsel (8)

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

2 19-06-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“.....for issuance of writ in the nature of certiorari for quashing of the letter No. 509 dated 10.07.2023 issued by the Respondent No. 4 whereby the licence of P.D.S. shop has been granted to the Respondent No. 7 at roster no. 816, contrary to the terms and conditions



of the scheme decided for granting the licence of P.D.S. shop.”

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 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 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. 7 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 of.

(A. Abhishek Reddy , J)

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