

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4830 of 2024**

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Rudal Mahto Son of Lal Bahadur Mahto, Resident of Village-Rushtampur,  
Raghopur, P.S.-Raghopur, District-Vaishali ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
  2. The Sub Divisional Officer, Vaishali.
  3. The District Supply Officer, Vaishali.
  4. The Block Supply Officer, Vaishali.
  5. Laal Chand Kumar, Son of Shri Krishna Thakur, Resident of Village-Rushtampur, Raghopur, P.S.-Raghopur, District-Vaishali ... Respondents
- =====

**Appearance :**

For the Petitioner : Mr.N.K. Agrawal, Sr. Adv. with  
Mr. Arvind Kumar, Adv.

For the Respondents : Mr.Raghwendra Kumar, SC XII

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

4      19-08-2024                      Heard the parties.

2. The present writ petition has been filed for the following relief(s) :

*“..... for issuance of an appropriate writ, challenging the appointment of Respondent No. 5 appointed as a PDS Dealer by the District Level Committee on the sole ground that he is a Graduate and further for any other relief or reliefs to which the petitioner is found fit and entitled.”*

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 off 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. 5 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 off.

(A. Abhishek Reddy , J)

Shamshad/-

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