

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5333 of 2024

Sanju Devi wife of - Ranjeet Kumar, Resident of - Ward No.- 10, Halalpur,
Madarpur, P.S. Ganga Bridge, District- Vaishali, Pin- 844502.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Director, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Vaishali.
5. The District Supply Officer, Vaishali.
6. The Sub-Divisional Officer, Hajipur Block, Dist.- Vaishali.
7. The Block Supply Officer, Hajipur Block, Dist.- Vaishali.
8. Kumari Rekha, wife of -Rajeev Kumar Ranjan, resident of -Village - Hilalpur, P.S.- Ganga Bridge, Dist.- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Aggrawal, Sr. Adv. Mr. Pranoy Kumar, Adv.
For the Respondent/s	:	Mr. Standing Counsel 19

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

4 03-09-2024 Heard the learned counsels for the parties.

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

“i. To issue an appropriate writ/writs, order/orders or direction/directions in the nature of certiorari for quashing the recommendation dated 07.07.2023 issued by the District Selection Committee, Vaishali whereby and where under recommendation has been made in favour of Respondent No. 8 for grant of license of PDS shop.



ii. To issue an appropriate writ, order or direction in the nature of mandamus to issue license of PDS Shop in favour of the petitioner in light of the merit list dated 03.05.2023 where the name of the petitioner is at Serial No. 2 and the name of Respondent No. 8 is at Serial No. 6.”

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. 8 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)

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