

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6785 of 2019

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Dhaneshwar Manjhi, aged about 32 years, Male, Son of Ramcharitra Manjhi
Resident of Village- Sudamapur, P.S.- Barhat, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary Food and Supply Department, Bihar Patna.
3. The District Magistrate Jamui.
4. The Sub Divisional Officer, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5.

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

3 30-01-2024 Heard learned counsel for the parties.

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

“(i) For quashing the impugned order as contained in memo no. 8 dated 02.01.2019 whereby and whereunder the licence No. 33/016 of PDS of the petitioner has been cancelled without considering the show cause filed by the petitioner which is against the law laid down by this Hon'ble court.

(ii) Further after quashing the impugned order (Annexure-1) the respondent no. 4 way be directed to release the food grains in favour of the petitioner.”

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 entertain the present writ



petition, having regard to the facts that the petitioner has an alternative and efficacious remedy of preferring a statutory appeal before the District Magistrate-cum-Collector, Patna, under Clause 32(3) of the Bihar Targeted Public Distribution System (Control) Order, 2016. The present writ petition is disposed off directing the petitioner to approach the District Magistrate, Jamui (Respondent No. 3) by way of appeal within a period of two weeks from today. On such appeal being filed, the District Magistrate, Jamui (Respondent No. 3) shall consider the same on merits and pass a reasoned orders in accordance with law.

4. It is needless to mention that before passing any order, the authorities concerned shall give an opportunity of hearing to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of filing of the appeal by the petitioner. Any order passed shall be communicated to the parties.

5. With the above directions, the present writ petition stands disposed off to the extent indicated.

(A. Abhishek Reddy , J)

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