

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11808 of 2022**

Ritu Kumari (F) aged about 27 years, Wife of Dharmaraj Ram Resident of Village- Karmahri Ward No.- 4, Panchayat- Kota, Block- Nuwaon, P.S.- Kudhani, Sub-Division- Mohania, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Collector, Kaimur (Bhabhua).
4. District Supply Officer, Kaimur (Bhabhua).
5. Sub-Divisional Officer (S.D.O.), Mohania Sub-Division, District- Kaimur (Bhabhua).
6. Block Supply Officer, Nuwaon, District- Kaimur (Bhabhua).
7. Amitabh Bachchan Ram, S/o Jagdish Ram Resident of Village- Choubeypur, Panchayat- Kota, Block- Nuwaon, P.S.- Kudhani, Sub-Division- Mohania, District- Kaimur (Bhabhua).

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Achhaibar Singh, Advocate.

For the Respondent/s : Mr. Arvind Ujjwal ( SC 4 ).

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

3      27-06-2024      Heard learned counsel for the parties.

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

*“.....for setting aside the letter vide memo No. IV-28-21/34 (Moo) dated 24<sup>th</sup> May, 2021 issued by Sub-Divisional Officer, Mohania by which license no. 02/2021 was issued in the name of Respondent No. 7 for opening the shop of new Public distribution system when the name of the petitioner is at serial No. 2 of merit list and the name of respondent*



*No. 7 is at serial No. 5 of merit list and also for setting aside the order dated 02.07.2021 passed by respondent No. 5 and also for setting aside the order dated 09.05.2022 passed in appeal case No. 3 of 2022 by the Court of Respondent No. 3.”*

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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