

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16086 of 2022

Payal Kumari @Payal Devi W/o Rajesh Kumar, R/o Vill.- Vazitpur, Ward No.- 45, P.S.- Nagar Begusarai, Dist.- Begusarai. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Munger Region, Munger.
3. The District Magistrate Cum The Chairman, District level Selection Committee of P.D.S. Delear, Begusarai.
4. The District Supply Officer Cum the Secretary, District level Selection Committee of P.D.S. Delear, Begusarai.
5. The Sub- Divisional Officer, cum the Licensing Authority, Sadar, Begusarai.
6. The Marketing Officer Cum Block Supply Officer, Block- Begusarai Sadar, Begusarai.
7. Puspa Kumari W/o Rakesh Ranjan, R/o- Vill- Vazitpur, Ward No.- 45, Block- Begusarai Sadar, P.S.- Begusarai Nagar, Dist.- Begusarai.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2915 of 2023

Pushpa Kumari Wife of Sri Rakesh Ranjan, Resident of Village- Bajitpur, Ward No. 45, Post Office- Mirjapur Wandwar, P.S.- Mufassil, District- Begusarai, Pin- 851129

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The Additional Secretary, Food and Consumer Protection Department, Bihar, Patna.
3. The Collector-cum-Chairman, The District Selection Committee, Begusarai.
4. The District Supply Officer, Begusarai.
5. The Licensing Officer-cum-Sub-Divisional Officer, Begusarai.
6. The Block Supply Officer, Begusarai.
7. Payal Devi @ Payal Kumari Wife of Rajesh Kumar @ Rajesh Kumar Khaitan, Resident of Ward No. 42, Village- Vishnupur, Sharma Tola, Post Office- Mirjapur Wandwar, P.S.- Mufassil, District- Begusarai, Pin- 851129

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 16086 of 2022)

For the Petitioner/s : Mr.Shubhesh Pandey

For the Respondent/s : Mr.S. Raza Ahmad (Aag 5)



(In Civil Writ Jurisdiction Case No. 2915 of 2023)

For the Petitioner/s : Mr.Kaushalesh Choudhary

For the Respondent/s : Mr.S. Raza Ahmad (Aag5)

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

8 03-09-2024 Heard the learned counsels for the parties.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. With the above direction, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

Prakash/-

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