

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14889 of 2022

Most. Sanju Devi, Wife of Late Sunil Kumar Singh @ Sunil Singh, Resident of Village- Karsop, P.O. and P.S.- Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Food and Supply Department, Govt. of Bihar, Patna.
3. The District Magistrate, Banka.
4. The Sub-Divisional Officer, Banka.
5. The District Co-operative Officer, Banka.
6. The District Selection Samittee, Banka.
7. The District Supply Officer, Banka.
8. The Block Supply Officer, Block- Sambhuganj, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv
For the Respondent/s : Mr.S. Raza Ahmad (AAG 5)

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

3 23-04-2024 Heard the learned counsels for the parties.

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

“for issuance of an appropriate writ order or direction commanding the respondent to grant licence of P.D.S. shop on compensate ground to the petitioner as husband of the petitioner having licence of P.D.S. shop died on 16.10.12 petitioner applied with relevant documents her application placed before District Level Selection Committee, Banka in several occasions and lastly rejected on the grand that



petitioner is Non Matric as per circular "Bihar Targeted Public Distribution System (Control) order 2016 while petitioner matter is of much earlier and/or for any other order or orders as your Lordships may deem fit and proper under the circumstances of the case.”

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 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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