

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14240 of 2024

Shiv Shankar Ray, aged about 66 years, Male, Son of Ramdev Ray, Resident of Village-Mahuli, P.S.-Hathauri District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate-Cum-Collector, Muzaffarpur.
4. The Sub-Divisional Officer, East Muzaffarpur.
5. The District Supply Officer, Muzaffarpur.
6. The Block Supply Officer, Bochaha, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate.
For the Respondent/s : Mr. Raghwanand, GA-11 with
Mr. Pratik Kumar, AC to GA-11.

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

2 20-12-2024 Heard learned counsel for the parties.

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

“(i) for issuance of an appropriate order/s, direction/s including a writ preferably in the nature of certiorari for quashing the order as contained in Memo No. 777 dated 14.08.2024 passed by the Sub-Divisional Officer, East Muzaffarpur (hereinafter referred to as Licensing Authority under Bihar Targeted Public Distribution (Control) order 2016) whereby and whereunder he has cancelled the PDS.



License of the petitioner vide No. 23-07-20-02/2016.

(ii) To direct the respondent No. 4 (The Licensing Authority) to restore the PDS License of the petitioner which has been wrongly and illegally cancelled. ”

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, Muzaffarpur, under Clause 32(3) of the Bihar Targeted Public Distribution System (Control) Order, 2016. The present writ petition is disposed of directing the petitioner to approach the District Magistrate-cum-Collector, Muzaffarpur, (Respondent No. 3) by way of appeal within a period of two weeks from today. On such appeal being filed, the District Magistrate-cum-Collector, Muzaffarpur, (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 of to the extent indicated.

(A. Abhishek Reddy, J)

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