

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16956 of 2022

Prabhakar Das son of Upendra Das Resident of Village- Bazar, P.O.- Batsar,
P.S.- Dhoraiya, District- Banka ... Petitioner

Versus

1. The State of Bihar
2. The Chairman (District Magistrate), District Level Selection Committee, Banka.
3. The Sub Divisional Officer, Banka.
4. Sindhu Devi wife of Niraj Kumar Das, Resident of Village- Bazar, P.O.- Batsar, P.S.- Dhoraiya, District- Banka. ... Respondents

Appearance :

For the Petitioner : Mr.Sunil Kumar, Adv.
For the Respondents : Mr.Arvind Ujjwal (Sc4)

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

2 12-12-2024 Heard the parties.

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

“1. That this is an application to issue a writ in the nature of certiorari to quash the License dt. 22.06.2019 issued under Bihar Targeted Public distribution System (Control) Order, 2016 to the respondent No. 4 issued by the Sub Divisional Officer, Banka and further issue the writ in the nature of Mandamus to issue License to the petitioner under Bihar Targeted Public distribution System (Control) Order, 2016 for Batsar Panchayat, under Dhoraiya block, Banka.

(a) That any other writ/writs, order/orders, direction/directions may be issued as your Lordships may deem fit and proper.”

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 off 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. 3 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 off.

(A. Abhishek Reddy , J)

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