

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22506 of 2018

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Anu Kumari W/o Dilip Kumar Resident of Village-Sima P.S. Jalalgarh, Distt.-Purnea
... Petitioner

Versus

1. The State Of Bihar
2. The Collector, Distt.-Purnea
3. The Sub-Divisional Officer, Sadar, Purnea
4. The District Magistrate, Purnea
5. Raj Kumari D/o Jai Narayan Biswas Resident of Village-Jalagarh, P.S. Jalalgarh, Distt.-Purnea, at present Raj Kumari W/o Manoj Kumar, R/o Mohalla-Prabhat Colony, Ward No.30, Rambagh, P.S. and Distt.-Purnea
... Respondents

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Appearance :

For the Petitioner : Mr. Kiran Sinha, Adv.
For the Respondents : Mr. S. Raza Ahmad, AAG IX

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

3 02-02-2024 Heard the learned counsel for the parties.

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

“.....for issuance of a writ or direction in the nature of mandamus commanding the respondents especially the respondents No. 2 and 4 to set aside the selection of the respondent no. 5 for the P.D.S. shop dealer for the Jalagarh Gram Panchayat, in the District of Purnea meeting held under the president ship of the Collector respondent no. 2 vide dated 29.09.2018 (contained in Annexure) by which the respondent no. 5 has allegedly been selected as P.D.S. shop dealer as she is married lady and has furnished wrong and incorrect information address about her residence and status.”



3. Learned counsel for the petitioner has stated that though the petitioner has filed a representation ventilating his grievance before the Divisional Commissioner way back in the year 2018, the same has not been disposed off till date. Learned counsel has prayed this Hon'ble Court to direct the Respondent No. 1 to dispose off the said representation.

4. Learned counsel for the respondents has stated that the representation made by the petitioner is of the year 2018 and may not be available in the office of the Divisional Commissioner. Learned counsel has stated that as per notification dated 21.07.2022 to the Bihar Authority and Public Distribution System Control, IInd Amendment Order – 2022 the present Writ Petition may be disposed off.

The present writ petition is **disposed off** with a direction to the petitioner to approach the Divisional Commissioner ventilating his grievance against a selection of the respondent no. 5 as a PDS dealer.

3. On such representation being made, the Divisional Commissioner shall consider the same on its own merit duly putting all the parties on notice and then passing a reasoned order.

4. The entire exercise shall be completed within a



period of four weeks from the date of the receipt of the copy of the complaint by the Divisional Commissioner.

5. It is needless to mention that before passing any order, the Divisional Commissioner shall give an opportunity of hearing to the parties. Any order passed, shall be communicated to the parties.

(A. Abhishek Reddy , J)

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