

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1518 of 2025

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Gunjan Kumari, Wife of Nagendra Kumar Naveen, Resident of Village-
Karsauli, P.S. - Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate cum Chairman of the district level Selection Committee, Samastipur.
3. The District Supply Officer, Samastipur.
4. The Sub-Divisional Officer, Rosera, Samastipur.
5. The Block Supply Officer, Hasanpur, Samastipur.
6. The Block Development Officer, Hasanpur, Samastipur.
7. Sunita Kumari, W/o Ajit Kumar, Resident of village - Kokani, P.S. - Hasanpur, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gaurav, Advocate.

For the Respondent/s : Mr. Additional Advocate General (4)

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

2 19-03-2025 Heard learned counsel for the parties.

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

“(A).....for issuance of appropriate writ, order and direction for Certiorari for quashing and setting aside the published final merit list vide memo No. 1283 dated 25.11.2024 contained therein Annexure-1 under which only on the basis of rt of BDO, Hasanpur vide Memo No. 1720 dated 05.09.2024 contained therein Annexure 3 whereby and whreunder the private Respondent



No. 7 has been recommended for the selection by the district level section committee & the selection of the petitioner as a PDS Dealer against the UR (F) category has not been considered whereas the learned SDO, Rosera recommended the name of the petitioner in the provisional merit list.

(B) for issuance of appropriate writ, order and direction of mandamus commanding the Respondents further not to issue a PDS license to the private respondent No. 7 because the petitioner is matching with all the eligibility criteria under which he is the only who is fully & purely entitled to obtained that license of PDS Shop.”

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 her 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.

6. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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