

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14019 of 2018

Geeta Devi Wife of Gopal Jee Sah Resident of Village- Kawala Chak, P.S.
Bijayee Pur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
3. The Commissioner, Saran Division, Chapra.
4. The Collector, Gopalganj.
5. The Sub- Divisional Officer, Hathua, District- Gopalganj.
6. The Block Supply Officer, Bijayee Pur, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Adv.

For the Respondent/s : Mr.Arvind Ujjwal, Adv.

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 10-07-2025

1. The petitioner has filed the Writ petition
for the following reliefs:

a. For quashing of the order dated 12.08.2017 passed in Supply Rev. No. 24/2016 (Annexure-7); passed by the court of the learned Commissioner Saran Division, Chapra.

b. And further for the Quashing of the order dated 01.06.2013 (Annexure 4); passed in Supply Appeal No. 13/12 passed by the court of Learned Collector Gopalganj.

c. And further for the quashing of the



office order issued through Memo No. 7483 dated 03.11.2012 (Annexure-3) issued by the Sub-Divisional Officer, Hathua.

d. And further for a direction to the Respondent Authorities to restore the PDS license No. 58/2007 of the petitioner.

2. At the outset, the Learned Counsel for the respondents draws the attention of this Court to Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

3. For better appreciation of the facts of the case, Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 is reproduced hereinbelow:

“32. (vii) The Principal Secretary/ Secretary of the department may call for the records related to the order passed under the provisions of this Order by the Divisional Commissioner or the District Officer or the licensing authority or the Sub Divisional Officer suo moto or upon a representation by someone, and if he is satisfied that the Divisional Commissioner or the District Officer or



the licensing authority or the Sub Divisional Officer

(a) has exercised such powers which are not entrusted to him,

(b) has exercised his powers illegally without considering the facts of the case,

(c) has failed in use of his powers, he may pass an order which he thinks fit.”

4. Heard the Learned counsel for the petitioner and the Learned counsel for the respondents.

5. Admittedly, from the reliefs prayed for in the writ petition, it is evident that the petitioner has an alternative remedy of filing a representation available under Section 32(vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

6. Taking into consideration, without going into the merits or demerits of the case, that the petitioner has an alternative remedy of filing a representation before the Principal Secretary, under Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 against



the impugned orders, the writ petition is disposed of with a direction to the petitioner to file the representation within four weeks from the date of receipt of this order before the Principal Secretary. The delay in filing the representation, if any, shall be condoned by the Principal Secretary, and the authority shall dispose of the representation within three months from the date of filing of the same.

6. It is needless to mention that before passing any order, all the concerned parties shall be put on notice and given an opportunity of hearing. Any order passed shall be communicated to the party.

7. With the above observations, the present writ petition stands disposed of.

8. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10.07.2025
Transmission Date	

