

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7934 of 2024

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Arunika Kumari, aged about 34 years, Female, daughter of Satendra Sharma,
Resident of Village- Dumari Panchayat Mirpur Patadh, P.S.- Saray, District-
Vaishali. At present Village and Post- Dumari, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Chief Secretary Government of Bihar, Patna.
3. The Chairman, District Fare Price Dealer Selection Committee, District-
Vaishali.
4. The Divisional Commissioner, Tirhut Pramandal, Muzaffarpur.
5. The District Magistrate, District- Vaishali.
6. The Sub Divisional Officer, Sub Division Mahua, District- Vaishali.
7. Shilpi Kumari, Wife of Nitesh Kumar, Village- Dumari Panchayat Mirpur
Patadh, P.S.- Saray, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate.

For the Respondent/s : Mr. Rajeshwar Singh, GA-10 with
Mr. Jitendra Kumar, AC to GA-10.

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

2 07-01-2025 Heard learned counsel for the parties.

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

*“.....for issuance of writ/writs
certiorari or appropriate in nature for
directing and commanding to the
respondents for cancellation of last
Medha list for issuance of license of fare
prince dealer published on the basis of
recommendation of District Selection
Committee Vaishali District-Vaishali
without mentioning any date whereby*



and whereunder irregularity has been done and ignoring the education qualification the petitioner has been given in Serial No. 02 when ever in provisional list the name of the petitioner was in Serial no. 01 but the respondents due ill motive has changed in Medha list and forgery has been done in Medha list and as well as praying for direction to the respondents for preparation of last and fresh Medha list on the basis of verification of educational certificates of the applicants including this petitioner.”

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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