

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1440 of 2018

=====

Rang Bahadur Ram S/o Late Laxmi Ram, R/o Village- Karari, P.S.-
Durgawati, Dist- Kaimur Bhabhua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Commissioner, Patna Division, Patna.
3. District Magistrate, Kaimur at Bhabhua.
4. S.D.O. Mohania, P.S.- Mohania, Dist- Kaimur Bhabhua.
5. Block Supply Officer, Durgawati, District- Kaimur Bhabhua.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Advocate
For the Respondent/s : Mr. Arvind Ujjwal SC 4

=====

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:

“ (I). for quashing the order dated 11.04.17 passed by the Commissioner, Patna Division, Patna in E.C. Revision no. 510 of 2013 contained in Annexure and also the order dated 4.6.2013 passed by Collector, Kaimur (Bhabhua) in Supply Appeal no. 1/2011 contained in Annexure and order dated 17.1.12 passed by S.D.O. Mohania in P.D.S. Case no.1/12 whereby they have cancelled the licence no. 02/94/15/07 issued under The Bihar Trade Articles (Licence Unification), Order without



considering the show cause filed on behalf 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)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2025
Transmission Date	

