

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15364 of 2019**

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Krishndev Sah Son of Ramdev Sah, Resident of Village- Mahthour Khurd,  
Dhata Tol, P.S. Phulparas District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary and Food and Civil Supply Department, Govt. of Bihar, Patna.
2. The District Magistrate-Cum-collector Madhubani.
3. The Subs Divisional Officer Phulparas, Madhubani.
4. The Block Supply Officer, Phulparas, Madhubani.
5. Sri Yogendra Sadai, Son of Sohabir Sadai, Resident of Village- Hanuman Nagar, P.S. Phulparas District- Madhubani.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.  
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY**

**ORAL JUDGMENT**

**Date : 15-10-2025**

1. The present Writ petition is filed seeking a direction upon the respondent authorities to take legal action against respondent No. 5 for the alleged misappropriation committed by him, being a dealer of the Public Distribution System (PDS) shop, through black marketing of foodgrains and kerosene oil.

2. It is specific contention of the Learned counsel for the petitioner that the petitioner is a



member of the Panchayat Samiti of Ward No. 14, Mahthour Panchayat, and as respondent No. 5 has misappropriated a large quantity of foodgrains, the petitioner has filed the present writ petition seeking appropriate action against him.

3. On the other hand, the Learned counsel for the respondents contended that the Writ petition itself is not maintainable, and if at all the petitioner has any grievance, he may prefer a complaint before the District Magistrate, Madhubani.

4. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

5. Taking into consideration the fact that there is no impugned order under challenge in this Writ petition, and that an effective remedy is available to the petitioner, this Court directs the petitioner to file a complaint before the District Magistrate,



Madhubani, within a period of two months from the date of receipt of this order. In turn, the District Magistrate, Madhubani, shall pass an appropriate order on the complaint, considering the case on merits, within a period of three months from the date of filing of the complaint.

6. With the aforesaid observations, the Writ petition stands disposed of.

7. Interlocutory application, if any, shall also disposed of.

**(G. Anupama Chakravarthy, J)**

AMANDEEP/-

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