

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10637 of 2025

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Sushil Kumar, Son of Sri Upendra Prasad Yadav, resident of Village- Israin Khurda, P.O.- Yadua Patti, Ward No.9 Police Station - Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Madhepura.
4. The Sub Divisional Officer, Madhepura.
5. The District Supply Officer, Madhepura.
6. The Block Development Officer, Kumarkhand Block, District- Madhepura.
7. Kavita Kumari, Wife of Awadhesh Kumar, resident of Ward No. 12, Police Station Kumarkhand, District - Madhepura.
8. Gunjan Kumari, Wife of Guddu Kumar, Resident of village- Israin Khudkhurda, Tapra Tola, Ward No. 8, P.O.- Yadua Patti, P.S. - Kumarkhand, District- Madhepura 852112.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bidhanesh Misra, Adv.
For the Respondent/s : Mr.Standing Counsel (4)

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

2 09-10-2025

2. The present writ petition has been filed for the following relief(s):-

“I) For quashing the order dated 7/3/2025 passed by Collector cum District Magistrate, Madhepura in P.D.S Case No. 02/2024 by which the claim of the petitioner for P.D.S Licence has been rejected.

II) For issuance of a Writ in the nature of Writ of certiorari or any other appropriate Writ, order or direction for setting aside the selection of respondent No. 7 whereby



licence of Public Distribution System for Gram Panchayat Israin Khurd, Kumarkhand Madhepura, contained in Annexure P-2 has been granted.

III) For issuance of a Writ in the nature of Writ of mandamus or any other appropriate Writ, order or direction, directing the respondent authorities consider the candidature of the petitioner for grant of licence of Public Distribution System for Gram Panchayat. Israin Khurd, Kumarkhand, Madhepura.

IV For any other relief or reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

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 his 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)

Bhardwaj/-

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