

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14985 of 2023

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Rinku Kumari Wife of Munna Kumar, Resident of village Bhandar, Panchayat Bhandar Gat, Ward No. 1, Police Station Dhaka Bhandar, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar (old Secretariat), Patna
2. The Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The District Magistrate cum chairman, District Selection Committee, East Champaran, Motihari.
4. The Sub-Divisional Officer Sikarhana Dhaka District East Champaran Motihari.
5. Najnin Begum Daughter of Md. Ekramul Haque, Resident of Village Basahiya, P.O. Bhandar, Police Station Dhaka Bhandar, District East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Adv.
For the Respondent/s : Mr. Arvind Ujjwal (Sc4)

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

4 12-08-2025 Heard the learned counsels for the parties.

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

“(A) A Certiorari for setting the order dated 31.05.2023 (Annexure-4) whereby application of the petitioner for Public Distribution System Licence of Bhandar Panchayat in the District of East Champaran has been rejected in the meeting dated 31.05.2023 held in Chairmanship of the District Magistrate, East Champaran (Respondent No.



3).

(B) A Mandamus commanding the respondents to issue Public Distribution System (P.D.S.) Licence to the petitioner of Bhandar Panchayat in the District of East Champaran.

(C) Any other relief or reliefs for which petitioner may be found entitled to in the facts and circumstances of the present case may be granted to her.”

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 off 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. 5 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, duly putting all the parties 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 off.

(A. Abhishek Reddy , J)

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