

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20237 of 2018

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Awadhesh Rai S/o Sri Vishwanath Rai, Resident of Village- Rampur Aami,
P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Saran Division, Saran at Chapra.
3. The District Magistrate, Saran at Chapra.
4. The Sub-Divisional Officer, Sonepur, Saran at Chapra.
5. The District Supply Officer, Saran at Chapra.
6. Smt. Anita Devi, W/o Krishna Rai, Resident of Village- Rampur Aami, P.S.-
Dighwara, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. S.Raza Ahmad -AAG

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 22-08-2025

1. The petitioner has filed the instant application for the following relief:

“ For issuance of appropriate writ rule, or direction commanding upon the respondent authorities for taking necessary action upon the application dated 11.2.2015 filed by the petitioner before the Sub- Divisional Officer, Sonepur, Saran wherein prayer has been made to get stopped the irregularities being caused in distribution of the food grains and other



essential goods under the public distribution system to the beneficiaries in the village Rampur Aami by the P.D.S. Dealer, the respondent no. 6 since much before.

AND

For issuance of directions to the respondents authorities specially to the respondent no. 4 for restraining the respondent no.6 from causing the irregularities in distribution of the food grains to the beneficiaries under the public distribution system in the village-Rampur Aami, Saran at Chapra.”

2.The case of the petitioner, in brief, is that the petitioner holds a valid ration card (No. 10170190030005300099) issued in his name and in the name of his family members. He was entitled to lift food grains and kerosene under the Public Distribution System (PDS) from respondent no. 6, the local PDS dealer, Smt. Anita Devi. It is submitted that in the month of May 2014, without prior notice or explanation, respondent no. 6 stopped supplying food grains and kerosene to the petitioner and his family members. Despite



repeated requests and complaints to the dealer and the Block Food and Supply Officer, no action was taken. It is further submitted that the petitioner later discovered that his mother's ration card was allegedly transferred to another PDS dealer, Smt. Rajshree Devi, based on an application purportedly submitted by respondent no. 6. This transfer was effected without informing the petitioner's mother or obtaining her consent thereby causing her hardship due to the distance of the new shop.

3. It is further contended that respondent no. 6 regularly failed to distribute PDS items to various other beneficiaries in the locality and was engaged in irregularities and black-marketing of food grains and kerosene. On 11.02.2015, the petitioner submitted a complaint to the Sub-Divisional Officer (SDO), Sonapur, seeking action against the said irregularities and the illegal transfer of his mother's ration card. However, no action was taken. It is further submitted that in response to an RTI application,



the SDO initially informed the petitioner that the complaint dated 11.02.2015 was not received. However, upon further enquiry and based on information provided by the Senior Postal Superintendent, it was confirmed that the said complaint was infact received by the SDO's office on 12.02.2015.

4. The Learned counsel for the petitioner contended that the SDO later contradicted his earlier statement and informed that the matter had been referred to the Block Supply Officer for enquiry, and the report was awaited. The petitioner alleges that this inaction and misinformation on the part of the SDO enabled respondent no. 6, to continue the irregularities unchecked. It is also submitted that on being informed about the petitioner's complaint, respondent no. 6 and her husband assaulted the petitioner and his family on 30.03.2015, leading to the registration of Dighwara P.S. Case No. 54/2015. It is further contended that respondent no. 6 and her family members are involved in multiple



irregularities, including misuse of BPL status and violation of selection rules under the Anganwadi scheme. Despite several complaints made by local consumers against respondent no. 6, no effective remedial action has been taken by the authorities.

5. The Learned counsel for the petitioner submitted that In light of the above, the petitioner prays for a direction upon the respondent authorities to take necessary action on his complaint dated 11.02.2015 and to restrain respondent no. 6 from continuing the alleged irregularities in PDS distribution in village Rampur Aami.

6. The respondent State has filed a detailed counter affidavit, contending that the writ petition is not maintainable, being misconceived and an abuse of the legal process.

7. It is averred in the counter affidavit that Respondent no. 6 is a bona fide PDS dealer and that due to serious disputes and ongoing criminal cases between respondent no. 6 and the petitioner's family, the respondent no. 6 had



requested the authorities to transfer the petitioner's mother's ration card to another nearby dealer, in order to avoid disturbances affecting the smooth functioning of the PDS shop. It is further contended that pursuant to this request of the 6th respondent the Block Supply Officer, Dighwara, vide Memo No. 231 dated 08.10.2014, transferred the ration card of Smt. Rajshree Devi.

8. The Learned counsel for the State submitted that the information provided under RTI by the Block Supply Officer confirms that the transfer was made on the application of respondent no. 6. That too, prior to filing of the Writ petition, by the petitioner. It is also submitted that the grievances of the petitioner were addressed prior to the filing of the Writ petition.

9. The Learned counsel for the State argued that the writ petition is filed with ulterior motives, to exert undue pressure on the authorities and prayed to dismiss as it is an abuse of legal process.

10. Heard the Learned counsel for the



petitioner as well as the Learned counsel for the State. Perused the record, including Annexures A and C of the counter affidavit and of the petition. On consideration, the Court finds that the petitioner's grievance regarding transfer of the ration card was addressed through due process upon the application of respondent no. 6 as there were disputes between the petitioner's family and the the 6th respondent. Further, the petitioner's complaint dated 11.02.2015, though initially denied receipt, was subsequently confirmed to have been received by the SDO's office, and enquiry was directed to be conducted. This Court further finds that no evidence has been brought on srecord to suggest malafide intent or deliberate suppression on the part of authorities so as to warrant judicial interference.

11. The writ petition, therefore, lacks merit and is liable to be dismissed.

12. In result, the Writ petition is dismissed.



13. Interlocutory Application, if any,
shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.09.2025
Transmission Date	

