

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15916 of 2024

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Mausami Rai, aged about 32 years, Female, W/o Tarun Kumar Resident of
Village- Inar Varva, Jogia, P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The Collector-Cum-District Magistrate, West Champaran at Bettiah.
5. The Additional Collector-Cum-Additional District Magistrate, West Champaran at Bettiah.
6. The District Supply Officer, West Champaran at Bettiah.
7. The Licensing Authority-Cum-Sub Divisional Officer, Bagaha, District- West Champaran.
8. The Block Supply Officer, Ramnagar Block, Ramnagar, Dist.- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate. Mr. Bharti Rai, Advocate. Mr. Sitesh Kashyap, Advocate.
For the Respondent/s	:	Mr. Jitendra Kumar Roy, SC-13 with Mr. Hitesh Suman, AC to SC-13.

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

4 19-02-2025 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the
following reliefs:-

*“A. For issuance of a writ in
the nature of certiorari or any other
appropriate writ, order/s direction
quashing the order dated 30.08.2024*



passed by the respondent No. 7 in Record No. 13/2024-25 whereby and where under the earlier order dated 26.04.2024 passed by the Respondent No. 7 cancelling the PDS Licence No. 09/2019 of the petitioner with immediate effect has been directed to remain undisturbed. (Annexure-P/8).

B. For issuance of a writ in the nature of mandamus or any other appropriate writ, order/s commanding the respondents for the followings:

(i) To treat the Annexure-P/8 to the petition to be nullity and non-est in the eye of law.

(ii) To hold that the impugned order has been passed in flagrant violation of the principal of natural justice in as much as several documents referred to in the impugned order have not been supplied to the petitioner along with the show cause notice/explanation called from him.

(iii) To hold that by the impugned order, the respondent No. 7 has revived his earlier order dated 26.04.2024 which has been set aside by this Hon'ble Court vide order dated 18.07.2024 passed in CWJC No. 8550/2024."

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 entertain the present writ petition, having regard to the facts that the petitioner has an alternative and efficacious remedy of preferring a statutory



appeal before the Collector-cum-District Magistrate, West Champaran at Bettiah under Clause 32(3) of the Bihar Targeted Public Distribution System (Control) Order, 2016. The present writ petition is disposed of directing the petitioner to approach the Collector-cum-District Magistrate, West Champaran at Bettiah (Respondent No. 4) by way of appeal within a period of two weeks from today. On such appeal being filed, the Collector-cum-District Magistrate, West Champaran at Bettiah (Respondent No. 4) shall consider the same on merits and pass a reasoned orders in accordance with law.

4. It is needless to mention that before passing any order, the authorities concerned shall give an opportunity of hearing to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of filing of the appeal by the petitioner. Any order passed shall be communicated to the parties.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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