

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22923 of 2018

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Rana Pratap Singh Son of Late Yugeshwar Singh Resident of Village-
Astalakpur, Police Station-Minapur, District-Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Food and Civil Supplyt Department, Government of Bihar.
3. The Commissioner Trihut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur.
5. The Sub Divisional Officer, East Muzaffarpur.
6. The District Supply Officer, Muzaffarpur.
7. The Block Supply Officer, Minapur, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arun Kumar, Advocate
	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr.S. Raza Ahmad- Aag5

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 20-08-2025

1. The petitioner has filed the Writ petition
for the following reliefs:

*“ (I). for issuance of writ in the
nature of certiorari to quash the order of
the Sub-Divisional Officer, East
Muzaffarpur as contain memo No. 264
dated 25.04.2015 (Anne -6) by which the
petitioner’s license for public distribution
system dealer has been Cancelled with
immediate effect alongwith the order*



dated 05.05.2017 passed by Collector and the order dated 27.02.2018 passed by the Commissioner, Tirhut Division Muzaffarpur has affirmed the Cancellation order further for issuance of an appropriate writ order or direction commanding upon the Respondent to restore the petitioner's licence forthwith."

2. At the outset, the Learned Counsel for the respondents draws the attention of this Court to Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

3. For better appreciation of the facts of the case, Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 is reproduced hereinbelow:

"32. (vii) The Principal Secretary/ Secretary of the department may call for the records related to the order passed under the provisions of this Order by the Divisional Commissioner or the District Officer or the licensing authority or the Sub Divisional Officer suo moto or upon a representation by someone, and if he is satisfied that the Divisional Commissioner



or the District Officer or the licensing authority or the Sub Divisional Officer

(a) has exercised such powers which are not entrusted to him,

(b) has exercised his powers illegally without considering the facts of the case,

(c) has failed in use of his powers, he may pass an order which he thinks fit.”

4. Heard the Learned counsel for the petitioner and the Learned counsel for the respondents.

5. Admittedly, from the reliefs prayed for in the writ petition, it is evident that the petitioner has an alternative remedy of filing a representation available under Section 32(vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

6. Taking into consideration, without going into the merits or demerits of the case, that the petitioner has an alternative remedy of filing a representation before the Principal Secretary, under Section 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 against



the impugned orders, the writ petition is disposed of with a direction to the petitioner to file the representation within four weeks from the date of receipt of this order before the Principal Secretary. The delay in filing the representation, if any, shall be condoned by the Principal Secretary, and the authority shall dispose of the representation within three months from the date of filing of the same.

7. It is needless to mention that before passing any order, all the concerned parties shall be put on notice and given an opportunity of hearing. Any order passed shall be communicated to the party.

8. With the above observations, the present writ petition stands disposed of.

9. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.08.2025
Transmission Date	N/A

