

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5753 of 2026

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Amar Kishor Pandey, Son of Lalbabu Pandey, Resident of Village - Tikul Tola ward no. 6, P.S. Gaunaha, District West Champaran, Bettiah (Bihar).

... .. Petitioner/s

Versus

1. The state of Bihar through the principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Commissioner, Division - Tirhut, Muzaffarpur.
3. The District Magistrate cum Chairman of the district level selection committee, West Champaran, Bettiah.
4. The District Supply Officer, West Champaran, Bettiah.
5. The Sub Divisional Officer, Narkatiyaganj, West Champaran, Bettiah.
6. The Block Supply Officer Gaunaha, West Champaran, Bettiah.
7. Priyanka Kumari, W/O - Kamlakar Kumar, Resident of Village Belsandi, P.S Gaunaha, District West Champaran, Bettiah (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gaurav, Advocate.

For the Respondent/s : Mr. Addl. Advocate General (12)

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

2 27-04-2026 Heard the learned counsel for the parties.

2. This Writ application has been filed for issuance of an appropriate writ, order and direction for following reliefs:-

“A. To issue Writ of Certiorari for quashing or any Writ order to set aside the unspecified decision of the District level Selection Committee, West Champaran, Bettiah & published final merit list whereby & where under Respondent No. 7 Namely (Priyanka Kumari) has been selected in final merit list for issuance / grant of P.D.S Shop at



Roaster No. 505 contained therein Annexure-P/3 on the basis of higher mark than the petitioner which she obtained in M.A but the fact is that she has obtained this P.D.S license by concealing her original educational qualification of M.A & produced a Forged/Fake Mark sheet & Provisional certificate of Master of Arts (Home Science) which Certificate No. M0056962 issued by the I.G.N.O.U dated 24/02/2021 whereas with the same Certificate No. M0056962, Stream is Master of Arts (Sociology) issued by the I.G.N.O.U to some other person dated 24/02/2015 contained therein Annexure-P/4 (Series).

B. To issue a consequential Writ of Mandamus or any other appropriate Writ order directing the District Level selection Committee West Champaran Bettiah to consider the claim/objection of the petitioner contained therein Annexure-P/5(Series) & directing the licensing authority cum S.D.O, Narkatiyaganj to issue a P.D.S license in the name of petitioner, as he is the only who is matching all the eligibility criteria & bonafide candidate to obtain the P.D.S. Shop license as per the vacancy notified vide Memo No. 131 dated 06.02.2025 under the Bihar Targeted Public Distribution System Control Order, 2016 for the Panchayat of Belsandi, Block of Gaunaha under the Sub Division of Narkatiyaganj, District of West Champaran Bettiah at Sl. No. 18 for Roaster No. 505 specific for the (Unreserved) Category contained therein Annexure-P/1.

C. Any other relief or reliefs for



which the petitioner may be found entitled in the fact and circumstances of the present case may be granted to him.”

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)

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