

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5763 of 2026

Nilam Kumari, W/o Late Rahul Kumar, Resident of village-Kachai tola, P.O.-
Badi Simhara, P.S.-Alauli, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate cum-Chairman of District Selection Committee, Khagaria.
3. The District Magistrate, Khagaria.
4. The District Supply Officer, Khagaria.
5. The Sub-Divisional Officer, Khagaria.
6. The District Magistrate cum-2nd Appellate Tribunal, Public Grievance Redressal Forum, Khagaria.
7. The A.D.M cum-1st Appellate Tribunal, Khagaria.
8. The Sub-Divisional, Public Grievance Redressal Forum, Khagaria.
9. Soni Kumari, W/o Narayan Kumar, Resident of village Kachai tola, P.O.-
Badi Simhara, P.S.-Alauli, District-Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate.

For the Respondent/s : Mr. Standing Counsel (4)

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

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

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

“(i) For setting aside the order dated 02.01.2026 passed by District Magistrate cum-2nd Appellate Tribunal, Khagaria passed in Complaint Case No. 9999901070625555293/2A whereby and whereunder the second appeal file against



the order of A.D.M cum-1" Appellate Tribunal dated 13.10.2025 is dismissed and affirming the order of A.D.M cum-1" Appellate Tribunal, Khagaria.

(ii) For challenging the order dated 14.10.2025 passed by A.D.M cum-1" Appellate Tribunal, Khagaria in Complaint Case No. 9999901070625555293/1A whereby and whereunder the appeal preferred by the petitioner dismissed on the ground neither the petitioner has filed any application within two years of the death of the Licensee nor she has filed any objection from which the signature was verified.

(iii) For challenging the order dated 18.08.2025 passed by Sub-Divisional, Public Grievance Redressal Form in Complaint Case No. 9999901070625555293 by which the objection was decided directing the S.D.O Khagaria to conduct an enquiry about issuing license and compliance report submitted in the office of Sub-Divisional Public Grievance Redressal Officer, Khagaria.

(iv) Issue writ in the nature of mandamus commanding the Respondents especially Respondent No. 2 to 4 to issue fresh license in favour of petitioner on compassionate basis after cancelled the license No. 134A/2025 which was running in the name of Respondent No.9."

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 her grievance against a selection of the Respondent No. 9 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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