

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8481 of 2026

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Kiran Mourya Wife of Sushil Yadav, Resident of Village and P.O- Laharnia,
P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Commissioner, Koshi Division, Saharsa.
3. The District Magistrate cum Chairman, District Selection Committee, Supaul, District- Supaul.
4. The Sub-Divisional Officer, Triveniganj, District- Supaul.
5. Aarushi Priya, Daughter of Subhash Kumar Suman, Resident of Village- Laharnian, Post- Mirjawa, Panchayat- Mirjawa, P.S.- Triveniganj, District- Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh
For the Respondent/s : Mr. Government Pleader (04)

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

2 23-06-2026 Heard the learned counsels for the parties.

The present writ petition has been filed for the
following relief(s):-

“1. That this writ application is being filed on behalf of the petitioners above named for issuance of an appropriate writ, order and direction for quashing the decision passed by the District Selection Committee, Supaul in a meeting held under the Chairmanship of District Magistrate, Supaul dated 18/3/2026 issued the same vide Memo No. 241 dated 18/3/2026 by which final merit list has been affirmed unanimously and several directions have been issued to the authorities concerned regarding the recommendation and selection of P.D.S. license under the signature of the same and other authorities concerned whereby and where under candidature of the petitioner whose name was



mentioned in top of the merit list at Sr. No. 1 for issuance of P.D.S. license has been rejected on the sole ground of a circular of the department stating that the petitioner is a member of Nentara Self Help Group but she has not authorized and further name of the private respondent namely Aarushi Priya whose name was mentioned at Sr. No. -2 has been recommended for selection for the same and further may direct the S.D.O., Triveniganj to cancel the P.D.S. license if any issued in the place of the petitioner and issue license in name of the petitioner for which she is entitled in accordance with law, and may kindly direct the respondent S.D.O. to not make any allotment if license has been issued in place of the petitioner to another person till final order of this writ application.”

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 off 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. 05 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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