

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16696 of 2022

Chandramauli Singh S/o Late Ram Bahadur Singh, R/o Village - Chak-Chhitraur (Khorampur), P.S.- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Begusarai.
4. The Sub Divisional Officer, Begusarai.
5. The Circle Officer, Matihani, Begusarai.
6. Block Supply Officer, Matihani, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Adv. Mr. Murlidhar Mishra, Adv.
For the Respondent/s	:	Mr. Arvind Ujjwal (SC-4) Mr. Shubham Pandey, Adv.

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 16-07-2026

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

“(a) For issuance of appropriate writ for restoration of the P.D.S. License of the petitioner by quashing the memo No.- 333 dated 24.04.2020 whereby and where under the Respondent No.-4 has cancelled the P. D. S. license of the petitioner bearing License No.- MAT 34/16 on the inspection report of the Circle



officer Matihani who is not the competent authority to inspect the P. D. S. shop of the petitioner in accordance with Rule 20 of the Bihar Targeted P.D.S. control order 2016 and also without following the norms of the natural Justice and also without providing proper opportunity to the petitioner to produce his case and the act of the Respondent authority is against the mandate of the Bihar Targeted P. D. S. control order 2016, by quashing the order dated 21.10.21 passed by the Collector, Begusarai in supply Appeal No.- 11/2020 and also the Order passed by the Commissioner Munger Region, Munger dated 26-05-2022 passed in Supply Revision No.- 01/22 and a direction to the concern Respondents.

(b) For a direction to the concerned Respondent authority to take administrative action against the Respondent circle officer concerned for acting malafidely under the influence of the husband of local Mukhiya and without any valid reason and only on the sweet will or



for some undue advantages.

(c) For the issuance of any other Relief/Reliefs to which the petitioner may found entitled to in the facts and circumstances of the present case.”

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)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.07.2026
Transmission Date	

