IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14521 of 2026

CNR No. BRHC010932602026

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Babita Kumari Wife of Pintu Kumar, P.O.- Samharigarh Bahera Bhelwa, Nawada, Samharigarh, Bihar-805104.

... ... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Nawada, Bihar.
2. The Sub Divisional Officer, Nawada.
3. The District Supply Officer, Nawada.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC-11

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 29-10-2026 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the respondent-State.

2. In the present writ application, the petitioner has prayed for grant of following relief/s;

> *"That this writ application is being filed for commanding the respondents to consider the case of the petitioner for restoration/ revival/renewal of the fair price shop ID licence no. 98/18 which was cancelled by the sub-Divisional officer, Nawada vide memo no. 224 dated 10/06/2026 on the basis of report submitted by the District supply officer, Nawada."*

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3. At the outset, learned counsel appearing on behalf of the respondent submits that there is an alternative and efficacious remedy available to the petitioner. Despite the remedy available to the petitioner to file an appeal under Section 32 of the Bihar Targeted Public Distribution System (Control) Order, (amended) 2016 before the District Magistrate, Nawada, i.e. respondent No. 1, the petitioner has approached this Court without availing the alternative and efficacious remedy available to him.

4. After arguing at length, learned counsel appearing on behalf of the petitioner has confined his prayer to the extent that he would prefer an appeal before the respondent No. 1 , District Magistrate, Nawada, therefore, necessary direction may be issued to the concerned respondent to dispose of the appeal within a reasonable time frame after giving an opportunity of hearing to the petitioner.

5. Taking into consideration the fact that the petitioner has not invoked the alternative remedy by filing an appeal in terms of Section 32 of the Bihar Targeted Public Distribution System (Control) Order, (amended) 2016 before the District Magistrate, Nawada, i.e. respondent no. 1, this writ application is disposed of with a direction to the petitioner to file an appeal

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before the District Magistrate, Nawada, i.e. respondent no. 1, who shall dispose of the same within a period of Sixty (60) days from the date of filing of the appeal, after giving an opportunity of hearing to the petitioner, in accordance with law.

6. Needless to emphasize that the final order which shall be passed by the District Magistrate, Nawada, i.e. respondent no. 1 should be a reasoned and speaking order, which shall be communicated to the petitioner.

7. With the aforesaid direction, this writ application is disposed of.

8. All pending interlocutory application(s), if any, shall also stand disposed of.

(Girijish Kumar, J)

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