

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16978 of 2025

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Santosh Kumar, Son of Shankar Yadav, Resident of Village-Sonvarsha Ward
No. 05, P.S.-Chhaurahi, District-Begusarai (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Head I.T. Cell, Food and Consumer Protection Department, Old Secretariat, Patna.
3. The District Magistrate, District-Begusarai.
4. The District Supply Officer, District-Begusarai.
5. The Sub-Divisional Officer, Manjhaul, District-Begusarai.
6. The Assistant District Supply Officer, Manjhaul, District-Begusarai.
7. The Block Supply Officer, Chhaurahi, District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gaurav, Advocate.
For the Respondent/s : Mr. Government Advocate 03.

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

2 21-01-2026 Heard learned counsel for the parties.

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

*“(i) For issuance of a writ/s,
order/s direction/s in the nature of
mandamus commanding the competent
authority i.e. SDO, Manjhaul to eliminate &
blot out the wrongly and excess quantity of
food grains i.e. About 94 qtl & 87 Kg of
wheat & about 258 qts. & 87 Kg of rice has
falsely been entered & uploaded upon the
petitioner EPOS Machine No.
122200400111 which is still showing in the
machine but said food grains in question has*



neither been supplied to the petitioner nor the petitioner has never received the same.

(ii) A mandamus commanding further may kindly be directed to the competent authority particularly Respondent No. 5 to update the petitioners E-POS Machine as per the stock received by the petitioner and distribute the same amongst the beneficiaries & also continue the monthly allotment as per the consumer tagged with the shop of the petitioner as before.

(iii) To issue a Writ of Mandamus or any other appropriate Writ order directing the Respondents authorities particularly Respondent No. 5 to stay further any punitive course of action against the petitioner till pendency of the present writ application.”

3. It is the case of the petitioner that though the petitioner has been making several representations to the authority concerned to rectify the discrepancies of the stock shown in the EPOS Machine, the authority till date has not taken any steps.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has not been supplied the stocks, however, the EPOS Machine of the petitioner is showing excess quantity of food-grains and, therefore, the petitioner was constrained to give representation to the authority concerned. Learned counsel has stated that the discrepancies in the EPOS Machine of the dealers has been noticed by the authorities and



they have issued a Memo No. 3355 dated 28.07.2023, however, the authority till date has not taken any steps to rectify the same. Learned counsel, therefore, prays this Court to allow the present writ petition and direct the respondents to rectify the quantity shown in the EPOS Machine with that of the physical stock present with the petitioner.

5. Per contra, in the counter-affidavit filed by the respondents, the respondents have stated that the SDO concerned has made a physical verification of the stock and found that there is no discrepancies. Further, it is stated that the excess quantity in the EPOS Machine was been shown since November, 2020 and the petitioner has, for the first time, made a representation only on 24.09.2024. Learned counsel, therefore, submits that the present writ petition lacks merits and the same may be dismissed.

6. A Division Bench of this Hon'ble Court under similar circumstances in CWJC No. 2423 of 2022 dated 18.05.2022 has directed the petitioner to give a suitable representation to the District Magistrate and the District Magistrate was directed to verify the claim made by the petitioner and rectify the EPOS Machine if it is performed to be true.



7. Having regard to the same, the present writ petition is disposed of granting liberty to the petitioner to give a suitable representation within a period of 4 weeks from today to the District Magistrate of the concerned district, who shall have the matter inquired and if it is found that the grievance of the petitioner is genuine, he shall take necessary measures for redressing his grievance i.e. either he shall be supplied the food-grains or the endorsement of him having received such supply would be correct.

8. The aforesaid decision shall be taken by the concerned authority within a period of 8 weeks from the date of the receipt of the copy of this order. It is needless to mention that before passing any order the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the party.

9. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy, J)

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