

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21838 of 2019

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Kumari Soni Raj W/o Govardhan Kumar Resident of Village- Pakrail, Mungeriya Tola, P.s.- Maheshkhunt, Distt.- Khagaria

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. The Divisonal Commissioner Munger
3. The District Magistrate Khagaria
4. Sub Divisional Magistrate Khagaria
5. The District Supply Officer Khagaria
6. The District Co-operative Officer Khagaria
7. Gunjan Kumar W/o Amarjeet Kumar resident of Village- Ghanshyam Nagar, Pakrail, P.s.- Maheshkhut, Distt.- Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.Arvind Ujjwal (Sc4)

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 23-06-2026

1. The writ petition is filed for the following reliefs:

“For issuance of an appropriate writ, direction/ directions, order/ orders for quash the order dated 10-07-19 as contained in anneuxre- 2 and 3 whereby the respondent authorities was pleased to rejected the candidature of the petitioner on flimsy and clumsy ground and appointed Respondent No. 7 on the post of PDS dealer and further be pleased to pass any such other



order/ orders as your lordships may deem fit and proper under the circumstances of the case.”

2. It is submitted by the Learned counsel for the petitioner that he has already filed an appeal before Divisional Commission, Munger Division vide P.D.S. Supply Appeal No.88/2019 which was dismissed on 13.08.2019 stating that there is no provision of appeal.

3. As the decision of the Selection Committee is final, the order of the Divisional Commissioner is cryptic. The District Magistrate being the part of the Selection Committee cannot be an appellate authority, therefore, the remedy available for the petitioner is to file a complaint before the Divisional Commissioner.

4. AT this stage, the Learned counsel for the petitioner intends to file a fresh complaint/application before the Divisional Commissioner, but the limitation period for filing the same has lapsed. He prayed for a direction to the concerned authority to entertain the same in



accordance with Section 5 of the Limitation Act.

5. Taking into consideration that the petitioner has an alternative remedy for filing complaint/application, the Writ petition is disposed of with a direction to the petitioner to file a fresh complaint/application within one month from the date of receipt of this order before the concerned authority. The delay in filing the representation shall be condoned by the authority concerned, and the authority shall dispose of the same within three months from the date of filing of the same, in accordance with law.

6. With the above said observation, the Writ petition is disposed of.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Shanu/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

