

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18899 of 2025

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Noor Saba, Wife of Md Imran, Resident of Village Madhepur, Ward No. 09,
Sabzi Bazar, P.S. Madhepur, District Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Commissioner, Division - Darbhanga.
3. The District Magistrate cum Chairman of the district level selection committee, Madhubani.
4. The District Supply Officer, Madhubani.
5. The Sub Divisional Officer, Jhanjharpur, Madhubani.
6. The Block Supply Officer, Madhepur, Madhubani.
7. Neha Kumari, W/O Naresh Mahto @ Pappu Kumar Mahto, Resident of Village Pasitola Madhepur, Ward No. 11, P.S - Madhepur, District - Madhubani (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Gaurav, Adv.
For the Respondent/s : Mr.Government Pleader 17

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

2 28-01-2026 Heard the learned counsels for the parties.

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

“A. To issue Writ of Certiorari for quashing
or any Writ order to set aside the unspecified
decision of the District level Selection
Committee, Madhubani & published final
merit list contained therein Annexure -P/4
under which only on the basis of
hypothetical self manufactured & false
objection raised by the Respondent No.7



The District Level Selection Committee, Madhubani came to the final outcome without going into the gravity of the fact & without further making any sort of enquiry about the fact of so called objection the selection committee taken final decision & the candidature of the petitioner has been rejected without any due course of valid inquiry contained therein Annexure- P/4 whereas the petitioner has already submitted her family member certificate certified by the Circle Officer Madhepur was enclosed with application form during the course of the application invited for the same contained therein Annexure-P/2(Series).

B. To issue a consequential Writ of Mandamus or any other appropriate Writ order directing the District Level selection Committee, Madhubani to consider the claim of the petitioner contained therein Annexure- P/5(Series) & directing the licensing authority cum S.D.O Jhanjharpur to issue a P.D.S license in the name of petitioner, as she is the only who is matching all the eligibility criteria & bonafide candidate to obtain the P.D.S.Shop license as per the vacancy notified under B.T.P.D.S (Control) Order, 2016.

C. Any other relief or reliefs for which the petitioner may be found entitled in the fact and circumstances of the present case may be granted to him.”

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 of 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 his grievance against a selection of the Respondent No. 7 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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