

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19399 of 2025

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Raman Kumar son of Shri Ram Prasad Mahto R/o village- Rambag, P.O -
Fatki, P.S - Madhepur, District - Madhubani, Bihar, Pin- 847408

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply
Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Madhubani. Bihar.
4. The District Supply Officer, Madhubani, Bihar.
5. The Sub-Divisional Officer, Jhanjharpur. District Madhubani, Bihar.
6. The Block Development Officer, Madhepur, District Madhubani, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Akash Chaturvedi
For the Respondent/s	:	Mr. Government Pleader (10)
	:	Mr. A Karim, AC to GP10

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

2 02-02-2026 Heard the learned counsels for the parties.

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

“i. For Issue an appropriate writ in the nature of Mandamus commanding the Respondents, more particularly the Respondent No. 5 - Sub-Divisional Officer, Jhanjharpur, and Respondent No. 6 Block Development Officer, Madhepur, to forthwith appoint the petitioner as Public Distribution System (PDS) License Holder / Fair Price Shop Dealer for Banki Panchayat, Madhepur Block, Madhubani District, in accordance with the final merit list wherein his name was placed at Serial No. 1;

ii. For issuance of writ in the nature of mandamus directing the respondent to considered the name of the petitioner for his appointment as PDS dealer as such being more meritorious than other candidate and also at serial no. 1 in the merit list published by the District Selection Committee headed by the District Magistrate, Madhubani;

iii. For Issue a writ of Certiorari quashing the illegal and arbitrary appointment of



one Smt. Shobha Kumari (Serial No. 2 in the said merit list) to the said post, which has been made in violation of the established procedure and contrary to the merit position of the petitioner:

iv. For Issue a writ of Mandamus directing the Respondents to conduct an independent and impartial inquiry into the alleged irregularities and corrupt practices in the appointment process of the Fair Price Shop Dealer for Banki Panchayat:

v. For stay the operation and implementation of the appointment of Smt. Shobha Kumari, during the pendency of the present writ petition, in order to prevent continuation of the illegality and to secure the ends of justice; and

vi. To Pass such other order(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

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 off any complaint or representation made by an aggrieved party.

5. Without going into the merits or demerits of the case the present writ petition is disposed of at the stage of admission with the consent of both the counsels.



6. 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 Smt. Shobha Kumari 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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