



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15471 of 2024

1. Ram Bilash Sahni son of late domu sahani Resident of Village - Maulaganj, P.S- Laheriasarai, District - Darbhanga (Bihar).
2. Debu Sah Son of Thakko Sah Resident of Village Donar P.S Laheriasarai, District - Darbhanga (Bihar).
3. Upendar Saah Son of Anupi Sah Resident of Village - AAjamnagar Lalbagh, P.S-Laheriasarai, District - Darbhanga (Bihar).
4. Mahesh Kumar Sah Son of Latar Sah Resident of ward No. - 43, Ahila, P.S- Laheriasarai, District - Darbhanga (Bihar).
5. Vishnudev Chaudhary Son of Rameshwar Chaudhary Resident of ward No. 81, Balbhadrapur, P.S- Laheriasarai, District , Darbhanga (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Managing Director, Bihar State Food Corporation, Patna
3. The Head I.T.Cell, Food and Consumer Protection Department, Old Secretariat, Patna.
4. The District Magistrate, District - Darbhanga.
5. The District Supply Officer, District - Darbhanga.
6. The District Manager, Bihar State Food Corporation, Darbhanga.
7. The Additional District Manager, Bihar State Food Corporation, District - Darbhanga
8. The Sub - Divisional Officer, Darbhanga Sadar, District Darbhanga.
9. The Block Supply officer, Darbhanga Sadar ,District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Gaurav, Adv.
For the Respondent/s : Mr. Government Advocate (13)

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

9 17-09-
2025

Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“(i) Order and direction to the





Competent Authority for eliminating and omitting the wrongly and excess quantity of food grains uploaded onto the below named petitioners' EPOS Machine for which neither any S.I.O. has been issued nor petitioners have received the said food grains.

Sl. No.	FPS No.	PDS Dealer Name	License No.	Commodity Wheat	Commodity Rice	Wrongly & excess Qty of foodgrain uploaded	Block	District
1	121500100753	Ram Bilash Sahni	81/2016	107 Qtl	64 Qtl	171 Qtl	Dharbhanga, Sadar	Darbhanga
2	121500100732	Upendar Sah	58/2016	102 Qtl	103 Qtl	205 Qtl	Dharbhanga, Sadar	Dharbhanga
3	121500100827	Debu Sah Sah	89/20	59 Qtl	122 Qtl	181 Qtl	Dharbhanga, Sadar	Dharbhanga
4	121500100610	Bishnudev Chaudhary	121/2016	87 Qtl	171 Qtl	258 Qtl	Dharbhanga, Sadar	Dharbhanga
5	121500100611	Mahesh Kumar Sah	122/2	75 Qtl	135 Qtl	210 Qtl	Dharbhanga, Sadar	Dharbhanga

ii) Recover and provide all the allotted said food grains and distribution margin money to petitioner No. 1 (Ram Bilash Sahni) for which he is entitled, the food grains which has been allotted since 25.03.2021 to till today after tagging another P.D.S shop namely Dev Narayan Jha, FPS No. (121500100753) with the petitioner No. 1shop's namely Ram Bilash Sahni, FPS No. (12500100753) which the petitioner never received the said E-POS Machine, food grains





and distribution margin money.

iii) Update the petitioners EPOS Machine as per the stock received by the petitioner and distribute the same amongst the beneficiaries and provide the margin money which is yet to be paid to for the month of June, July, August and September of 2024 as the allotment was not given of that month as per the consumer tagged with the petitioners' shop for which they have entitled.

iv) Further to restore and make the allotment for the month of June, July, August and September of 2024 as the allotment was not given of that month and also continue the monthly allotment as per the consumer tagged with the petitioners' shop as before.

3. It is the case of the petitioner that though he has made several representations to the concerned authorities for correction of the discrepancies reflected in the EPOS machine, they have not taken any steps to make the necessary corrections. Learned counsel submits that due to discrepancies in the EPOS machine, the authorities are not allotting the foodgrains to the petitioner for distribution to the beneficiaries as a result of which the petitioner is facing hardship and unable to run the PDS shop. Learned counsel, therefore, prays this Hon'ble Court to allow the





present writ petition and direct the respondent authorities to make the necessary corrections in the EPOS machine.

4. *Per contra*, the learned counsel appearing on behalf of the respondents State has vehemently opposed the very maintainability of the present writ petition. Learned counsel has drawn the attention of the Court to the supplementary counter affidavit filed on behalf of the respondents State wherein a specific stand has been taken that the necessary corrections have already made in the EPOS machines of the petitioners and the difference in the quantity has also been reduced. Further, learned counsel has also drawn the attention of the Court to the (Annexure- R/3) filed along with the said supplementary counter affidavit which reflect that corrections have been made in the readings of the EPOS machine. The petitioner has not filed any reply or rejoinder to the supplementary counter affidavit denying the above statements in the supplementary counter affidavit.

5. Having regard to the same, the present writ petition is disposed of granting liberty to the petitioner to approach the Principal Secretary under 32 (vii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 if he has any grievance. In case any application is filed by the petitioner, the same shall be considered by the Principal Secretary





in accordance with law preferably within a period of eight weeks
from the date of receipt of the said complaint/ representation.

6. With the above directions, the present writ petition
stands disposed of.

(A. Abhishek Reddy , J)

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