

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2311 of 2015

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Jagdish Singh, son of Late Ram Ratan Singh, resident of village - Jhaman Bigha, P.S. Makhdumpur, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Jehanabad.
2. The Sub Divisional Officer, Jehanabad.
3. The District Supply Officer, Jehanabad.
4. The Block Supply Officer, Makhdumpur, Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Respondent/s : Mr. Binod Ji Verma, GP-27

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 12-05-2015

Heard the parties.

The petitioner is a licensee under the Public Distribution System (Control) Order, 2001 as enforced in the State of Bihar vide Fair Price Shop Order, 2007 (hereinafter referred to as 'the Control Order') bearing Licence No.90 of 2007. The licence of the petitioner has been cancelled by the Licensing Authority –cum- Sub-Divisional Officer, Jehanabad vide order bearing Memo No.1984 dated 12.11.2014 on grounds of alleged irregularity and being aggrieved the petitioner is before this Court.

Clause-15 of 'the Control Order' provides for a statutory remedy of appeal and the petitioner without exhausting such statutory remedy of appeal has approached this Court.



In the circumstances set forth and in view of the alternative statutory remedy of appeal available to the petitioner under Clause 15 of 'the Control Order' the writ petition is disposed of with a liberty to the petitioner to exhaust the appellate remedy so available to him and it goes without saying that any such appeal being filed within one month from today and if accompanied with a petition for condonation of delay shall be considered by the appellate authority on its own merits and be disposed of in accordance with law and after giving opportunity of hearing to the petitioner expeditiously and preferably within a period of three months from the date of filing of such appeal.

(Jyoti Saran, J)

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