

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1335 of 2015

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1. Dinesh Sahni aged about 36 years S/o of Sri Rajendra Sahni resident of village Baligoan Chandpura P.S.+P.S. Baligoan, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the District Collector, Vaishali, P.S. Vaishali, District Vaishali.
2. The Sub-divisional Office, Mahua, P.S. Mahua, District Vaishali.
3. The District supply Officer, Vaishali, P.S. Vaishali, District Vaishali.
4. The Block Supply Officer, Patepur, District Vaishali.
5. The Assistant District Supply Officer, Mahua, Dist. Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikas Mohan, Adv.

For the Respondent/s : Mr. Prasoon Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-05-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is holder of licence under the Public Distribution System Control Order, 2001 as enforced vide Fair Price Shop Order , 2007 (hereinafter referred to as ‘the Control Order’) and is aggrieved by the order of cancellation passed by the Licensing Authority-cum-Sub Divisional Officer, Mahua, District-Vaishali.

Clause-15 of ‘the Control Order’ provides for remedy of appeal against an order of cancellation of licence and the petitioner without exhausting such remedy has approached this Court

directly.

In the circumstances discussed and in view of the alternative remedy of appeal so available to him under Clause 15 of 'the Control Order' this writ petition is disposed of with liberty to the petitioner to exhaust the remedy of appeal so available to him under Clause 15 of 'the Control Order.'

Taking into consideration that the writ petition has been filed within one month of the passing of the impugned order, it is directed that any such application be filed by the petitioner within four weeks from today accompanied with petition for condonation of delay shall be considered and disposed of on its own merits by the appellate authority in accordance with law and after hearing petitioner

The writ petition is disposed of.

(Jyoti Saran, J)

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