

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10784 of 2013

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Ramashish Prasad, S/O Yamuna Prasad Yadav, resident of Village Akurahwa P.O. Makhdumpur, P.S. Tankuppa, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Secretary, Department of Food and Supply, Government of Bihar, Patna.
3. Commissioner, Gaya Division, Gaya.
4. District Magistrate, Gaya.
5. Sub-Divisional Officer, Sadar Gaya.
6. District Supply Officer, Gaya.
7. Block Supply Officer, Tankuppa, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kumar

For the Respondent/s : Mr. A.K. Sharan, SC-9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-01-2015

Heard learned counsel for the parties.

With the consent of the parties, this writ petition is taken up with a view to its final disposal at the stage of admission itself.

The petitioner is a holder of a licence issued under the provisions of the Public Distribution System (Control) Order, 2001 (hereinafter referred to as 'the Control Order') read with the Fair Price Shop Order, 2007 bearing Licence No.01 of 2009 and his licence has been cancelled by the Licensing Authority –cum- Sub-Divisional Officer, Sadar Gaya vide order passed on 11.4.2013.

This matter has been listed at the instance of learned

counsel for the petitioner who prays for disposal of the writ petition for enabling the petitioner to avail of the alternative remedy of appeal provided under Clause-15 of the Bihar Fair Price Shop Order, 2007 whereunder an appeal against an order cancelling the licence lies before the District Magistrate of the district concerned.

In view of the stand taken by the petitioner as well as the alternative remedy of appeal available to the petitioner under Clause-15 of the Public Distribution System (Control) Order, 2001 read with the Bihar Fair Price Shop Order, 2007, this writ petition is disposed of with a liberty to the petitioner to avail of the alternative remedy so available to him.

(Jyoti Saran, J)

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