

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13190 of 2016

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Sachidanand Jaiswal Son of sri Kako Prasad Jaiswal resident of Gulab bag,
P.S.-Sadar, District- Purnea, Proprietor M/s Vijay Mini Rice Mill, Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Supaul
3. The Superintendent of Police, Supaul
4. The Additional District Magistrate, Supaul
5. The Certificate Officer, Supaul
6. The Managing Director, Bihar State Food & Civil Supply Corporation, Limited, Patna.
7. The District Magistrate, Bihar State Food and Civil Supply Corporation Ltd. Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For State Respondents : Mr. Arvind Ujjwal-S.C.4
For B.S.F.C. : Mr. Aditya Prakash Sahay

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and learned

counsel for the State as also learned counsel for the Bihar State

Food and Civil Supplies Corporation Ltd.

The writ application has been filed for quashing the

Certificate Case No.63 of 2014-15 and also for quashing the final

order dated 17.03.2016 passed in the said certificate case.

At the outset, learned counsel for the respondent-Bihar

State Food and Civil Supplies Corporation submits that the

petitioner has an alternative statutory remedy available against the

impugned order and further the various grounds raised herein with regard to the requisition and certificate have never been raised by the petitioner at any stage when the matter was pending before the Certificate Officer and thus it is not open to the petitioner to raise the same after the final order has been passed against him.

I am in agreement with the submission of learned counsel for the respondent-Corporation. Since the petitioner has never raised the said ground before the certificate Officer as have been raised herein for the first time after the final order has been passed against him, it does not appear to be a fit case for entertaining the writ petition.

The writ petition is, accordingly, dismissed as not maintainable on the ground of alternative statutory remedy being available to the petitioner.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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