

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18564 of 2016

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Arun Kumar Mishra Son of Late Ram Udar Mishra, resident of Village- Janipur,
P.S. Nanpur, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna.
3. The Commissioner, Trihut Commissioner, Muzaffarpur.
4. The District Magistrate, Sitamarhi.
5. The Sub-Divisional Officer, Pupri, District- Sitamarhi.
6. The Block Supply/Marketing Officer, Nanpur, District- Sitamarhi.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Respondent/s : Mr. Upendra Pratap Singh, A.C. to S.C.-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 03-04-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

2. In this case, the petitioner is challenging the order dated 21.03.2015 passed by the Sub-Divisional Officer, Pupari, Sitamarhi, whereby and whereunder his licence has been cancelled on different grounds; such as, he used to misbehave with the beneficiaries, he used to give less quantity of grain and kerosene oil and charging high rate than the prescribed rate fixed by the Government.



3. Learned counsel for the petitioner submits that the petitioner has filed his explanation, but the same has not been properly considered by the authority.

4. It appears that the petitioner instead of exhausting the alternative remedy of appeal has directly approached this Court as there is provision of appeal against the order of the Sub-Divisional Officer.

5. In such view of the matter, the petitioner, if so liked, may approach the appellate authority by filing appropriate application. If he does so, the appellate authority shall pass appropriate order after considering every aspect, which would be taken in the Memo of Appeal.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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