

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.11156 of 2016**

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Ramchandra Das, aged near about 37 years, son of Bihari Das, resident of  
Village- Patalapur, P.O.- Madhopur, P.S.- Sahpur, District- Patna.

.... .... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub-Divisional Officer, Danapur.
4. The District Supply Officer, Patna.
5. The Block Supply Inspector, Danapur.

.... .... Respondents

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**Appearance :**  
For the Petitioner : Mr. Shiv Shankar Prasad Yadav, Advocate  
For the Respondents : Mr. P.S. SAHAY- SC31

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 30-11-2017**

The present writ petition has been filed against the order dated 18.06.2016 bearing Memo No. 668 passed by the Sub-Divisional Officer, Danapur (respondent no. 3) whereby and whereunder the petitioner's P.D.S. Licence has been cancelled; and for connected reliefs.

2. At the very outset this Court takes note that the petitioner has alternate statutory remedy against the order of cancellation by way of appeal before the Collector, which has not been availed of by the petitioner.

3. Learned counsel fro the petitioner fairly accepts that remedy by way of appeal is available.

4. In the above circumstances, the writ petition stands



dismissed with liberty to the petitioner to file appropriate statutory appeal against the impugned order of cancellation.

5. It is made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

**(Vikash Jain, J)**

Chandran/BT

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