

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3141 of 2015

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Md. Tanweer Son of Late Abdul Matin, resident of Village- Farkiya, P.S.- Bounsi Beseti Block, Raniganj, District- Araria.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Collector cum District Magistrate, Araria, District- Araria.
3. The Sub- Divisional Officer, Araria District Araria.

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Subhash Pd. Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-11-2017

The present writ petition has been filed for quashing the order under Appeal No. 40/2007-08 dated 12.02.2008 passed by the Collector-cum-District Magistrate, Araria (Annexure-1) whereby and whereunder the petitioner filed the appeal against the order of S.D.O. Araria dated 20.12.2007 (Annexure-2) whereby the said S.D.O. Araria cancelled the licence of the petitioner which was granted by the same authority on 18.06.2007 as Licence No. 160/2007; and for connected reliefs.

2. None appears on behalf of the petitioner despite repeated calls.

3. Learned counsel for the respondent appears and has been heard.



4. At the very outset, this Court takes note that remedy by way of revision before the Divisional Commissioner is available to the petitioner against the impugned order passed in Appeal No. 40/2007-08, which has not been availed of by the petitioner.

5. In view of availability of the alternative remedy as above, this Court is not inclined to interfere in the matter. The writ petition stands dismissed with liberty to the petitioner to file a revision petition before the Divisional Commissioner for redressal of his grievances.

6. It is made clear that in case such a revision petition 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)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
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