

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11788 of 2016

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Laljhari Devi, Wife of Jay Prakash Yadav, Resident of Village - Shahpur, Police
Station- G.B. Nagar, Tarwara, District- Siwan

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection
Department, Bihar, Patna
2. The District Magistrate, Siwan
3. The Sub- Divisional Officer, Maharajganj, District-Siwan
4. The Block Supply Officer, Siwan
5. The Block Supply Officer, Maharajganj, District -Siwan
6. The Supply Inspector, Maharajganj , District- Siwan

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

Mr. Prashant Kumar, Adv.

For the Respondent/s : Mr. Narendra Kumar, A.c. to G.P.-20

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 23-06-2017

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

In this case, the petitioner is challenging the order dated
18.04.2013 passed by the Sub-Divisional Officer, Mahrajganj,
District-Siwan, whereby and whereunder he has cancelled the P.D.S.
licence of the petitioner.

It appears that the petitioner instead of exhausting the
alternative remedy has directly approached this Court as there is



provision of appeal against the order of the Sub-Divisional Officer.

In such view of the matter, let the petitioner exhaust the alternative remedy of appeal before the appellate authority. If the petitioner files an appeal before the appellate authority, the appellate authority shall consider the same and pass order in accordance with law within a period of three months from the date of filing of such appeal. The appellate authority while considering the question of limitation will take into consideration the pendency of this case before this Court.

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.
Uploading Date	24.06.2017
Transmission Date	N/A.

