

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2721 of 2015

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Madhusudan Prasad @ Madhusudan Prasad Sao S/o Sri Hari Sao aged about 59 years, resident of village - Amthua, Block - Kako, P.S. Kako, District - Jehanabad
.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply, Govt. of Bihar, Patna
2. The District Magistrate, Jehanabad
3. The Assistant District Supply Officer, Jehanabad
4. The Sub-Divisional Officer-cum-Licensing Authority, Jehanabad
5. The Block Supply Officer, Makhdumpur, Jehanabad
6. The Block Supply Officer, Ratni Faridpur, Jehanabad
7. The Block Supply Officer, Kako, Jehanabad

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advcoate

For the Respondents : Mr. Kritya Nand Jha, AC to SC 29

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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 dated 23.05.20014 contained in letter no. 501 passed by the Sub-Divisional Officer-cum Licensing Officer, Jehanabad whereby and whereunder Public Distribution System (P.D.S.) Licence No. 69/07 of the petitioner has been cancelled; and for quashing the order dated 25.08.2014 passed in Supply Appeal No. 23/D.M./2014 by the District Magistrate, Jehanabad whereby and whereunder he has been pleased to confirm the cancellation order dated 23.05.2014 passed by the S.D.O., Jehanabad.

2. 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 Supply Appeal



Case No. 23/D.M. /2014, which has not been availed of by the petitioner.

3. 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.

4. 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)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.11.2017
Transmission Date	N.A.

