

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17106 of 2017

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Niraj Kumar, son of late Kaushal Kishore, resident of village + P.O. Malhad, P.S. -
Bandeya, Dist - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna.
2. The Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The Sub-Divisional Officer, Daudnagar, Gaya.
5. The Sub-Divisional Police Officer, Daudnagar, Gaya.
6. The Block Supply Officer, Goh, Gaya.
7. The Circle Officer, Goh, Gaya.
8. The Ramlala Singh, PDS Dealer, Village + Panchayat - Malhad, P.S. - Bandeya, Dist. - Gaya.
9. The Anjani Kumar Singh, PACCS Chairman, Village + Panchayat - Malhad, P.S. - Bandeya, Dist. - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Banwari Sharma, Advocate
Mr. Shiv Kumar, Advocate

For the Respondent/s : Mr. S.Raza Ahmad, AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 29-11-2017

From the materials available on record, we find that the District Magistrate, Aurangabad has already taken cognizance into the matter and therefore, interference in exercising the extraordinary jurisdiction by this Court in a matter of Public Interest Litigation under Article 226 of the Constitution is not called for. The District Magistrate shall proceed to take action in accordance with law and in case the petitioner has any grievance, he may file a complaint before



the competent court where the F.I.R. and the final reports are under process. The petitioner has adequate remedy for making complaint with regard to the issue in question before the Magistrate concerned under the Code of Criminal Procedure and, therefore, we are not inclined to interfere into the matter in P.I.L.

With the aforesaid liberty to the petitioner, this application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2017
Transmission Date	NA

