

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.394 of 2018

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Shambhu Sharma, Son of: Late Laxman Sharma, Resident of Village- Chakhar Tola, Pasraha, Gram Panchayat- Deotha, P.S.- Pasraha, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary Department of Food & Consumer Protection, Govt. of Bihar, Patna.
3. The Collector, Khagaria, District- Khagaria.
4. The Sub Divisional Officer cum Licensing Officer, Gogri, District- Khagaria.
5. The District Supply Officer, Khagaria, District- Khagaria.
6. The Block Supply Officer, Parbatta, District- Khagaria.

.... Respondents

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Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate

For the Respondents : Mr. Upendra Pratap Singh, AC to SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-05-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for quashing the order dated 19.09.2017 passed in Apurti Appeal Case No. 05 of 2016-17 by the Collector, Khagaria whereby and whereunder he rejected the aforesaid Appeal filed by the petitioner and confirmed the order dated 08.03.2016 contained in Memo No. 556 passed by the S.D.O., Gogri whereby and whereunder the S.D.O. cancelled the P.D.S. License bearing No. 15G/2007 and for further direction to the respondent-authorities to restore his PDS licence.

3. 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 Apurti Appeal Case No. 05 of 2016-17, which has not been availed of by the petitioner.

4. 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.

5. 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
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