

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8856 of 2017

=====

Brahmdeo Yadav, Son of late Laxmi Yadav, Resident of Village- Pirnagara, P.S. Beldour, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna. null null
2. The Secretary, Department of Food and Civil Supply, Govt. of Bihar, Patna.
3. The District Magistrate, Khagaria.
4. The District Supply Officer, Khagaria,
5. The Sub-Divisional Officer, Gogri District- Khagaria.
6. The Block Supply Officer, Beldour, District- Khagaria.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the Respondents : Mr. S.RAZA Ahmad, AAG-5

Mr. Alok Ranjan, Ac to AAG-5

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-01-2018

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

2. *The present writ petition has been filed for the following reliefs:*

“(i) For issuance of writ in the nature of certiorari setting aside the order contained in Memo No. 906 dated 18.08.2009 issued by the respondent S.D.O., Gogri whereby and whereunder the licence granted to the petitioner for P.D.S. Shop has illegally been cancelled. .

(ii) For issuance of writ in the nature of certiorari setting aside the order dated 23.08.2016 issued by the respondent- D.M. Khagaria in Supply Appeal Case No. 07/2012 whereby and whereunder the aforesaid order dated 18.08.2009 passed by the respondent S.D.O. Gogri has been affirmed and appeal has illegally been dismissed.



(iii) For any other relief(s) to which petitioner may be found entitled in the facts and circumstances in this case.”

3. At the very outset, learned counsel for the petitioner fairly accepts that a remedy by way of revision against the impugned appellate order dated 23.08.2016 passed in Supply Appeal Case No. 07 of 2012 (Annexure-4) is available which has not been exhausted.

4. In the above circumstances, the present writ petition is dismissed with liberty to the petitioner to approach the revisional authority 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)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.01.2018
Transmission Date	N.A.

