

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5959 of 2018

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Subhash Chandra Bose @ Subhash Paswan, Son of Late Naga Paswan,
Resident of village-Lakhrawan, P.S.-Deepnagar, District - Nalanda (Biharsharif)
..... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda.
5. The District Supply Officer, Nalanda.
6. The Assistant District Supply Officer, Nalanda.
7. The Sub Divisional Officer, Nalanda.
8. The Marketing Officer, Biharsharif.
9. The Block Supply Officer, Biharsharif, Nalanda.

..... Respondents

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate.
For the Respondents : Mr. Arvind Ujjwal, SC- 4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-05-2018

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

2. The present writ petition has been filed for the
following relief-

“(i) For issuance of a writ in the nature of writ of certiorari or any other appropriate writ, order or direction for quashing the order dated 19.06.2013 passed by the respondent no. 7 whereby the Public Distribution system shopkeeper license bearing no. 11/Bihar of 2007 of the petitioner of Ranavigha Panchayat, Deepnagar has been cancelled.

(ii) For issuance of writ in the nature of writ certiorari



or any other appropriate writ, order or direction for quashing the Order contained in memo no. 2200/law dated 13.11.2017 passed by the respondent no. 4 whereby the Appeal bearing supply case no. 04/2017 of the petitioner has been rejected without taking into consideration fact and circumstances of the case in true and correct legal perspective.

(iii) For issuance of a writ in nature of writ of mandamus or any other writ order or direction commanding the respondents to restore the PDS shopkeeper license of the petitioner of Ranavigha Panchayat, Deepnagar.

(iv) For any other relief or reliefs which the petitioner may be found entitled in the facts and circumstances of the case."

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 contained in memo no. 2200/law dated 13.11.2017, 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, Patna 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
CAV DATE	N.A.
Uploading Date	25.05.2018
Transmission Date	N.A.

