

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17308 of 2017

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Upendra Choudhary, son of Keshaw Choudhary, Resident of village - Belaur,
P.S. Udwant Nagar, District - Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Deptt. of Food and Civil Supplies, Govt. of Bihar.
2. The Collector, Bhojpur at Ara.
3. The Sub-Divisional Officer, Sadar Ara, District - Bhojpur at Ara.
4. The District Supply Officer, Bhojpur at Ara.
5. The Deputy Collector Land Reforms, Sadar Ara, District - Bhojpur at Ara.
6. The Block Supply Officer, Udwant Nagar, District - Bhojpur at Ara.
7. The Block Supply Inspector, Udwant Nagar, District - Bhojpur at Ara.

.... Respondents

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Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-04-2018

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

2. The present writ petition has been filed for setting aside
the order contained in memo no. 3297 dated 24.04.2017 passed by the
Sub-Divisional Officer, Sadar Ara whereby and whereunder he has
cancelled the Licence No. 34/2007 for fair price shop; and for a
direction to the Respondents for restoring the license of PDS shop of
the petitioner allowing him to continue the fair price shop.

3. At the very outset, learned counsel for the petitioner
submits that Supply Appeal No. 31 of 2017 has already been preferred
on 02.05.2017 before the Collector, Ara against the impugned order



and it will suffice if a direction is given to the Collector for early disposal of the appeal in which event, the writ petition need not be pressed on merits.

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 a direction to the Collector, Bhojpur at Ara to consider and dispose of the petitioner’s Supply Appeal No. 31 of 2017, if the same is still pending before him, after grant of opportunity of hearing to the petitioner in accordance with law, expeditiously, and preferably within a period of eight weeks from the date of receipt/ production of a copy of this judgment.

(Vikash Jain, J)

B.T/Chandran

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

