

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11893 of 2018

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Parmanad Tiwary, son of late Sahdeo Prasad Tiwary, R/o. village and Post Jhanjhara, P.S. Pasraha, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies, Old Secretariat, Patna.
2. The District Magistrate, Khagaria
3. The Sub Divisional Officer-cum-Licensing Officer, Gogri, District Khagaria
4. The Block Supply Officer, Parbatta, District Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukul Prasad, Adv

For the Respondent/s : Mr. S.RAZA AHMAD - AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-07-2018

The present writ petition has been filed for quashing the order dated 18.08.2015 passed by the Sub Divisional Officer-cum-Licensing Officer, Gogri as also the appellate order 03.04.2018 passed by the Collector-cum-District Magistrate, Khagaria in E.C. Appeal No. 06/2017-18 whereby the PDS dealership of the petitioner, bearing Licence No. 39P/2007 has been cancelled.

2. 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 E.C. Appeal No. 06/2017-18 which has not been availed of by the petitioner.

3. 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.

4. 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)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
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