

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12592 of 2017

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Rajendra Paswan S/o Gariban Paswan Resident of Village- Rajpur, P.S. Paraiya,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Protection Affairs, Govt. of Bihar, New Secretariat, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The Sub Divisional Officer, Tekari, Gaya.
5. The District Supply Officer, Gaya.
6. The Additional District Supply Officer, Gaya.
7. The Block Supply Officer, Paraiya, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv

For the Respondent/s : Mr. ARVIND UJJAWAL - SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-06-2018

The present writ petition has been filed for quashing the order dated 28.12.2015 contained in memo no. 334 passed by the Sub Divisional Officer, Tekari whereby the PDS dealership of the petitioner, bearing Licence No. 06 of 1994 has been cancelled.

2. At the very outset, learned counsel for the petitioner fairly accepts that the remedy by way of appeal before the District Magistrate is available to the petitioner against the impugned order 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 an appeal before the District Magistrate for redressal of his grievances.

4. It is made clear that in case such an appeal 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/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2018
Transmission Date	NA

