

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16596 of 2016

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Upadhaya Prasad Sah, son of Jagdish Prasad Sah, Resident of Village-Belhar,
P.S. Belhar, District Banka

.... Petitioner

Versus

1. The State of Bihar through Collector, Banka
2. The Collector, Banka
3. The Licensing Officer cum Sub Divisional Officer, Banka
4. The Block Supply Officer, Belhar

.... Respondents

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha,
Mr. Kamal Kishore Jha, Advocates
For the Respondents : Mr. Shashi Shekher Pd. Sinha, AC to GA6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-04-2018

The present writ petition has been filed for the following
relief –

“(A) A writ in the nature of certiorari or any other appropriate writ, order, direction, quashing the order dated 24.06.2016 passed by Collector Banka in Supply Appeal Case No. 11/2015-16 affirming the order passed by Licensing Officer cum Sub Divisional Officer, Banka as communicated through Memo No. 456 dated 20.03.2015 issued under the signature of Sub Divisional Officer Banka, cancelling the petitioner’s Licence No. 33/12 to run a shop under Public Distribution System with immediate effect.

(B) A writ in the nature of Mandamus or any other appropriate writ, order, direction commanding the respondents to act in accordance with law.

(C) Any other reliefs to which the petitioner is found



entitled to.”

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 dated 24.06.2016 passed by Collector, Banka in Supply Appeal Case No. 11/2015-16, 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, Bhagalpur 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)

B.T/-

AFR/NAFR	NAFR
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