

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.2680 of 2015**

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Ram Lagan Rikiyasan @ Ram Lagan Risiyasan Son of Sri Ramswaroop  
Rikiyasan, Village - Tunuk Bigha, Post - Simaru, P.S. Gurua, District - Gaya

.... .... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
3. The District Magistrate, Gaya
4. The Sub Divisional officer, Sherghati, District - Gaya
5. The Block Supply officer, Guraru Block, District - Gaya

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Md. Javed Jafar Khan, Advocate

For the Respondents : Ms. Puspanjali Sharma, AC to SC 20

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 10-04-2018**

The present writ petition has been filed for quashing the order dated 02.09.2014 passed by the District Magistrate, Gaya in Supply Appeal No. 01/2012 (Annexure-6) whereby and whereunder he has dismissed the appeal filed by the petitioner against the order dated 26.12.2011 contained in Memo No. 1640/Aa passed by the Sub-Divisional Officer, Sherghati cancelling the PDS Licence No. 307/2007 of the petitioner (Annexure-4); and to restore the PDS Licence No. 307/2007 ; and for a direction to the respondents to make allotment of articles for distribution.

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 02.09.2014 passed by



the District Magistrate, Gaya in Supply Appeal No. 01/2012, 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, Gaya 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/Chandran

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