

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5496 of 2016

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Ram Babu Rai, Son of Sri Mahendra Rai, Resident of Village - Bathana,
Panchayat - Bathana, P.S. - Keshariya, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Bihar, Patna.
2. The Collector, East Champaran at Motihari.
3. The Sub - Divisional Officer, Chakiya, East Champaran.
4. The Block Supply Officer, Keshariya, East Champaran.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate

For the Respondents : Mr. M.K. SINHA SC1

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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 09.07.2015 contained in letter no. 844 passed by the Sub-Divisional Officer Chakia, East Champaran, Motihari whereby the licence of the petitioner to run the public distribution shop being licence No. 43/2007 has been cancelled.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector, East Champaran, Motihari is available to the petitioner against the impugned order dated 09.07.2015 contained in letter no. 844 passed by the Sub-Divisional Officer Chakia, East Champaran, Motihari, 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 Collector, East Champaran, Motihari 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)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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