

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13929 of 2014

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Ramjee Singh son of Late Bhushan Singh, resident of village Bhagalu Bigha,
Panchayat, Jamuanea, Daudnagar, District Aurangabad

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Civil Supply Department,
Government of Bihar, Patna
2. The District Magistrate, Aurangabad
3. The District Supply Officer, Aurangabad
4. The Sub-Divisional Officer, Daudnagar, Aurangabad
5. The Block Supply Officer, Daudnagar, Aurangabad

.... Respondents

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Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate

For the Respondents : Mr. Rajesh Kumar, AC to GP 3

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 31-07-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for quashing
the order dated 17.10.2011 passed by learned Sub-Divisional
Magistrate, Daudnagar, Aurangabad (Annexure-4) by which PDS
licence No. 03/D/94 of the petitioner has been cancelled.

3. At the very outset, this Court takes note that remedy
by way of appeal before the District Magistrate is available to the
petitioner against the impugned order dated 17.10.2011, which has
not been availed of by the petitioner.



4. 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, Aurangabad for redressal of his grievances.

5. 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
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