

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16080 of 2014

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Upendra Kumar Singh S/o Late Shyam Narain Prasad Resident of Village -
Dasturpor, P.S.- Chandi, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Nalanda
2. District Magistrate, Nalanda, Nalanda
3. Sub-Divisional Magistrate, Hilsa, Nalanda
4. Block Supply Officer, Chandi, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Adv

For the Respondent/s : Mr. AVNISH NANDAN SINHA

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-07-2018

The present writ petition has been filed against the order dated 09.10.2009 bearing Memo No. 647/Aa passed by the Sub-Divisional Officer-cum-Licensing Authority, Hilsa (respondent no. 3) as also the appellate order dated 24.06.2014 passed by the learned District Magistrate, Nalanda at Biharsharif in Supply Appeal No. 09/2009 whereby and whereunder the petitioner's P.D.S. Licence bearing No. 03/2007 has been cancelled; and for connected reliefs.

2. At the very outset this Court takes note that the petitioner has alternate statutory remedy against the order of cancellation by way of revision before the Commissioner, which has not been availed of by the petitioner.



3. Learned counsel fro the petitioner fairly accepts that remedy by way of revision is available.

4. In the above circumstances, the writ petition stands dismissed with liberty to the petitioner to file appropriate statutory revision against the impugned order of cancellation.

5. It is made clear that in case such a revision 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
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