

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4384 of 2015

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Devendra Kumar Singh son of Late Gopal Sharan Singh, resident of village -
Mohanpur, Police Station - Ekangarsarai, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Civil Supplies, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Nalanda.
4. The Sub- Divisional Officer, Hilsa.
5. The Block Supply Officer, Ekangarsarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate

For the Respondents : Mr. Sanjeev Kumar, AC to SC 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-08-2018

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

2. The present writ petition has been filed for the
following reliefs –

“(i) For quashing the order dated 28.11.2014 passed in Supply Case No. 4 of 2012 by the Court of the District Magistrate, Nalanda whereby the application preferred against the order as contained in Memo No. 1043 dated 20.10.2011 passed by the Sub-Divisional Officer Hilsa with regard to cancellation of the licence of Dealership of P.D.S. shop was rejected.

(ii) Also for quashing the order as contained in memo



no. 1043 dated 20.10.2011 passed by the Sub-Divisional Officer, Hilsa with regard to cancellation of the licence bearing No. 10/2007 issued in favour of the petitioner.

(iii) Also for commanding the respondents to allow the petitioner to run the said P.D.S. shop in terms of the licence granted by the competent authority.

(iv) Also for any other appropriate relief/reliefs to which the petitioner is entitled either in the eye of law or in the facts and circumstances of the case.”

3. 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 28.11.2014 passed in Supply Case No. 4 of 2012, which has not been availed of by the petitioner.

4. Learned counsel for the petitioner fairly accepts that remedy by way of revision is available

5. 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 for redressal of his grievances.

6. 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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