

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18684 of 2016

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Mahesh Kumar Son of Late Prabhu Ram Choudhary Resident of Village-Sangat
Par P.S. Giriyak District-Nalanda

.... Petitioner

Versus

1. The State of Bihar, through the Collector, Nalanda
2. The Collector, Nalanda
3. The Sub Divisional Officer Rajgir, Nalanda
4. The Block Supply Officer, Giriyak, Nalanda

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha, Advocate.
For the Respondents : Mr. Sanjay Kumar Giri, GP-9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-04-2018

The present writ petition has been filed for setting aside the order contained in Memo No. 34 dated 21.01.2016 (Annexure-10) by which the licence granted under the provision of Public Distribution System (Control) Order, 2001 has been cancelled; further for quashing the order dated 14.07.2016 (Annexure-13) passed in Supply Appeal No. 06/2016 by which the appeal filed on behalf of the petitioner has not been admitted.

2. At the very outset, this Court takes note that the petitioner has alternative 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 for 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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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