

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2777 of 2016

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Purusottam Kumar son of Late Baijulal, Resident of Mohalla Mir Safait Road,
Ward No. 20, Gaya P.S. Kotwali, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna
2. The District Magistrate, Gaya
3. The Sub-Divisional Officer Sadar Gaya
4. The Anchal Adhikari Wajirganj, Gaya
5. The District Supply Officer, Gaya
6. The Block Marketing Officer (Urban), Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Respondent/s : Mr. RAJU GIRI- GP30

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-07-2018

The present writ petition has been filed for quashing the order dated 26.12.2015 contained in memo no. 1327 passed by the Sub Divisional Officer, Sadar, Gaya whereby the PDS dealership of the petitioner, bearing Licence No. 2/2010 has been cancelled.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector-cum-District Magistrate is available to the petitioner against the impugned order, 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-cum-District Magistrate 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)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.07.2018
Transmission Date	NA

