

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13968 of 2017

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Sudhir Prasad Singh, Son of Sri Janardan Singh, resident of Village- Mashtthu,
P.O.- Mashtthu, P.S.- Belchhi, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Supply Officer, Patna.
5. The Assistant District Supply Officer, Barh, Patna.
6. The Sub Divisional Officer, Barh, Patna.
7. The Block Supply Officer, Barh, Patna.
8. The Block Supply Officer, Bakhtiyarpur, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate

For the Respondents : Mr. S. Raza Ahmad-AAG5

Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-02-2018

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 issuance of a writ in the nature of writ of certiorari or any other appropriate writ, order or direction for quashing the Order contained in memo no. 766 dated 26.08.2017 passed by the respondent no. 6 whereby the public distribution system shopkeeper license bearing no. 46 of 2016 of the petitioner of Ekdenga Panchayat, Barh has been cancelled.

(ii) For issuance of writ in the nature of writ of mandamus or any other appropriate writ, order or direction commanding the respondents to restore the



PDS shopkeeper license of the petitioner of Ekdenga Panchayat, Barh.

(iii) For any other relief or reliefs which the petitioner may be found entitled in the facts and circumstances of the case.”

3. At the very outset, this Court takes note that remedy by way of appeal before the District Magistrate, Patna is available to the petitioner against the impugned order dated 26.08.2017, 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, Patna 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
CAV DATE	N.A.
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