

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15050 of 2017

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Lalo Yadav, Son of Late Mukhi Yadav, Resident of Village- Santosh, P.O.- Chatar Bandh, P.S.- Alauli, District- Khagaria (Public Distribution System) Shop-keeper, Chatar Banchi (Alauli).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Civil Supply Corporation, Bihar, Patna.
2. The Collector, Khagaria.
3. The District Manager, Food & Civil Supply Corporation, Bihar, Patna.
4. The District Supply Officer, Khagaria.
5. The Sub-Divisional Officer-cum-Licensing Authority, Khagaria.
6. The Block Supply Officer, Alauli Block, Khagaria.
7. The Assistant Godown Manager, Alauli, Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Respondent/s : Mr. S. RAZA AHMAD-AAG5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-03-2018

The present writ petition has been filed against the order dated 11.11.2011 bearing Memo No. 802 passed by the Sub-Divisional Officer-cum-Licensing Authority, Khagaria (respondent no. 5) as also the appellate order dated 06.09.2016 passed by the learned District Magistrate, Khagaria in Supply Appeal No. 11/2011-12, whereby and whereunder the petitioner's P.D.S. Licence bearing No. 63A/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
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