

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12354 of 2017

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Sarvanand Singh, S/o Late Ramashray Prasad Singh, Resident of Village - Raksha, P.S.- Karja, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Muzaffarpur.
2. The Collector, Muzaffarpur.
3. The Sub Divisional Officer (West), Muzaffarpur.
4. The Block Supply Officer, Marwan, P.S. - Marwan, District- Muzaffarpur.
5. The Block Supply Officer, Kurhani, P.S. - Kurhani, District- Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Subodh Kumar Jha
Mr. Krishna Kumar, Advocates
For the Respondents : Mr. S. Raza Ahmad - AAG5
Mr. Anisul Haque, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-05-2018

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

2. The present writ petition has been filed for quashing of the letter bearing Memo No. 843 dated 14.07.2017 issued under the signature of Sub Divisional Officer (West), Muzaffarpur respondent no. 3 by which the application filed for restoration of P.D.S. licence in Gram Panchayat Raksha within Block Marwan, District Muzaffarpur has been rejected; and further for issuance of an appropriate writ in the nature of mandamus for directing and commanding the respondent to forthwith allow the petitioner to work as P.D.S. dealer by making allotment of monthly articles to the petitioner.

3. At the very outset, this Court takes note that remedy



by way of appeal before the Collector, Muzaffarpur is available to the petitioner against the impugned order contained in Memo No. 843 dated 14.07.2017 issued under the signature of Sub Divisional Officer (West), Muzaffarpur, 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 Collector, Muzaffarpur 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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