

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1800 of 2015

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Shiv Bachan Sharma, son of Late Sakaldeep Singh Resident of village -
Samanpur Bado, P.S-Kinjar, District -Arwal

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food & Civil Supply Department, Govt. of Bihar, Patna.
2. The Collector, District -Arwal.
3. The District Civil Supply Officer,(Zila Anubhajan Padadhikari) ,District-Arwal
4. The Sub Divisional Officer, Sub-Division-Arwal, District Arwal.
5. The Block Civil Supply Officer, Block-Arwal, District -Arwal.

.... Respondents

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Appearance :

For the Petitioner : Mr. Arvind Prasad Singh, Advocate

For the Respondents : Mr. Kumar Manish, SC 21

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-04-2018

The present writ petition has been filed for quashing the order dated 16.10.2014 passed by the Sub-Divisional Officer, Arwal, District Arwal whereby and whereunder Licence No. 08/86 of Fair Price Dealer of the petitioner has been cancelled; and for a direction to the respondents to allow his licence no. 08/86 with immediate effect.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector, District Arwal is available to the petitioner against the impugned order dated 16.10.2014 passed by the Sub-Divisional Officer, Arwal, 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, District Arwal 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)

B.T/Chandran

AFR/NAFR	NAFR
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