

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18122 of 2014

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Rinku Singh wife of Chandra Kishore Singh, resident of Village - Hariya Bhid,
Bishunpur, P.S. Korha, District - Katihar.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Bihar, Patna.
2. The District Magistrate, Katihar.
3. The Sub Divisional Officer, Sadar, Katihar.
4. The Senior Deputy Collector cum Incharge Officer, District Public Grievance Cell, Katihar.
5. The Block Supply Officer, Korha (Katihar).

.... Respondents

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Appearance :

For the Petitioner : Mr. Shankar Kumar, Advocate

For the Respondents : Mr. Nasim Yahya GP13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-07-2018

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

2. The present writ petition has been filed for quashing
the order dated 31.03.2014 contained in memo no. 87/Katihar/dated
03.04.2014 issued under the signature of the Sub-Divisional Officer,
Katihar under Bihar Public Distribution Control (Order) 2001 whereby
and whereunder he rejected the application of the petitioner for
issuance of license of fair price shop on compassionate ground; and for
connected reliefs.

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



by way of appeal before the Collector is available to the petitioner against the impugned order dated 31.03.2014 contained in memo no. 87/Katihar/dated 03.04.2014, 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, Katihar for redressal of her 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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