

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7585 of 2015

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Gajendra Prasad Yadav. Son of Late Munni Lal Yadav, Resident of Village -
Pratap Nagar Rani, P.S. and Anchal-Murliganj, District - Madhepura.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Civil Supply, Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The Sub Divisional Officer, Madhepura.
4. The District Supply Officer, Madhepura.
5. The Block Supply Officer, Madhepura.

.... Respondents

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Respondents : Mr. Kumar Alok, SC-8

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-08-2018

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 an order, direction or writ including writ in the nature of certiorari for quashing the order dated 30.01.2015/23.02.2015 passed in Appeal Case No. 09/2014 by the learned District Magistrate, Madhepura whereby he rejected the Appeal filed by the petitioner against the order dated 03.07.2014 passed by Supply Officer cum Sub-Divisional Officer, Madhepura whereby he cancelled the P.D.S. of the petitioner.

(II) For issuance of an order, direction or writ including writ in the nature of certiorari for quashing the order dated 03.07.2014 whereby the learned Supply Officer cum Sub-Divisional Officer cancelled the P.D.S. of the petitioner.

(III) For issuance of an order, direction or writ including writ in the nature of mandamus directing the respondent



concern to reinstate the P.D.S. of the petitioner.
(IV) For any other relief or relief for that f the petitioner may
be found to be entitled in the facts of the present case.”

3. At the very outset, this Court takes note that remedy by way of revision before the Divisional Commissioner is available to the petitioner against the impugned order dated 30.01.2015/23.02.2015 passed in Appeal Case No. 09 of 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 a revision petition before the Divisional Commissioner for redressal of his grievances.

5. It is made clear that in case such a revision petition 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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	14.08.2018
Transmission Date	N.A.

