

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6988 of 2015

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Ram Pukar Ram son of late Budhani Rai, resident of Village- Manjhaouli Anda,
P.O. Anda, Police Station - Phulwarisharif, District Patna

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna
2. The District Magistrate Patna
3. The Sub Divisional Officer, Patna Sadar, District Patna
4. The Block Supply Officer, Phulwarisharif, District Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate

For the Respondents : Mr. Ratnakar Ambastha, AC to GP13

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-08-2018

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

2. The present writ petition has been filed for quashing the order dated 14.07.2011 passed by the respondent no. 2 in E.C. 23 of 2010-11, by which he has dismissed the appeal filed on behalf of the petitioner and upheld the order dated 07.10.2009 passed by respondent no. 3 and also for quashing the order as contained in memo no. 2282 dated 07.10.2009 passed by respondent no. 2 by which the license of the petitioner bearing License No. 74 of 2007 as PDS dealer has been cancelled; and for connected reliefs.

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 appellate order dated 14.07.2011 passed by



the respondent no. 2 in E.C. 23 of 2010-11, which has not been availed of by the petitioner.

4. Learned counsel for the petitioner fairly accepts that remedy by way of revision is available

5. In view of availability of the alternative remedy as above, this Court is not inclined to interfere in the matter. The writ petition stands disposed of with liberty to the petitioner to file a revision petition before the Divisional Commissioner for redressal of his grievances.

6. 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)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16.08.2018
Transmission Date	N.A.

