

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10402 of 2015

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Rajesh Kumar @ Rajendra Singh, Son of late Ram Charitar Singh, Resident of
Shital Bigha, PS. Daud Nagar, District-Aurangabad.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply
Department, Government of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The District Food and Civil Supply Officer, Aurangabad.
4. The S.D.O. Daud Nagar, Aurangabad.
5. The Block Development Officer, Daudnagar, Aurangabad.

.... Respondents

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Appearance :

For the Petitioner : Mr. Surya Kant Mishra, Advocate.

For the Respondents : Mr. Abbas Haider, SC-16

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-08-2018

The present writ petition has been filed against the order dated 26.02.2011 passed by the respondent no. 4, S.D.O. Daudnagar, Aurangabad whereby and whereunder the respondent has declined to consider the application of the petitioner for renewal of P.D.S. license of the petitioner being 6/8/89 since the petitioner has already completed his tenure in the Panchayat Election.

2. At the very outset, this Court takes note that the petitioner has alternative statutory remedy against the order of cancellation by way of appeal before the Collector, which has not been availed of by the petitioner.



3. Learned counsel for the petitioner fairly accepts that remedy by way of appeal is available.

4. In the above circumstances, the writ petition stands disposed of with liberty to the petitioner to file appropriate statutory appeal against the impugned order of cancellation.

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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.08.2018
Transmission Date	N.A.

