

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7399 of 2018

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Shivlal Prasad, PACS PDS Dealer, Kenar, Fatehpur, Wazirganj, Gaya, permanent resident of village Hemza, Post Bhgausa Makhdumpur, P.S. Wazirganj, District Gaya

.... Petitioner

Versus

1. The State of Bihar through District Magistrate, Gaya
2. The Sub-Divisional Officer, Sadar, Gaya
3. The District Supply Officer, Gaya
4. The Block Supply Officer, Wazirganj, Gaya

.... Respondents

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Appearance :

For the Petitioner : Mr. Subodh Kumar, Advocate

For the Respondents : Mr. Alok Ranjan, AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-05-2018

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 contained in Memo No. 70/Aa (Go) dated 07.03.2018 passed by the Sub-Divisional Officer, Sadar, Gaya by which licence of the petitioner has been cancelled; and for connected reliefs.

3. At the very outset, this Court takes note that remedy by way of appeal before the District Magistrate is available to the petitioner against the impugned order contained in Memo No. 70/Aa (Go) dated 07.03.2018 passed by the Sub-Divisional Officer, Sadar, Gaya, 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 District Magistrate, Gaya for redressal of his 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.
Uploading Date	24.05.2018
Transmission Date	N.A.

