

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.4687 of 2018

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Ram Bachan Ram, son of Late Kaltu Ram, resident of village Barah, P.S. Rani Talab, District Patna

.... .... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Bihar, Patna
2. The District Magistrate-cum-Collector, Patna, District Patna
3. The Sub-Divisional Officer, Paliganj, Patna, District Patna
4. The Block Supply Inspector, Bikram, Patna, District Patna

.... .... Respondents

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#### Appearance :

For the Petitioner : Mr. Sumeet Kumar Singh,  
Mr. Abhiprav Singh,  
Mr. Satyendra Pd. Singh, Advocates  
For the Respondents : Mr. Arvind Ujjwal SC4  
Mr. Upendra Pratap Singh, AC to SC 4

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 02-04-2018**

The present writ petition has been filed for quashing the order dated 06.03.2018 vide Memo No. 65 by the Sub-Divisional Officer, Paliganj, Patna by which the license of the petitioner bearing Licence No. 102 of 2016 (New License) (Old License No. 46 of 2007) has been cancelled; and for connected reliefs.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector, Patna is available to the petitioner against the impugned order dated 06.03.2018 vide Memo No. 65 by the Sub-Divisional Officer, Paliganj, Patna, which has not been availed of by the petitioner.

3. 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, Patna for redressal of his grievances.

4. 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

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