

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2479 of 2018

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Sudhir Kumar Singh @ Sudhir Kumar the Chairman of Kari P A C S, Son of Ramjatan Singh, Resident of Village-Karisova, Police Station-Wazirganj, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumers Protection, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The District Supply Officer, Gaya.
4. The Sub-Divisional Officer, Sadar Gaya.
5. The Block Supply Officer, Wazirganj, Dist.-Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Respondent/s : Mr. S. RAZA AHMAD- AAG5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-02-2018

The present writ petition has been filed for quashing the order dated 28.12.2017 contained in memo no. 1135 passed by the Sub Divisional Officer, Sadar Gaya whereby the PDS dealership of the petitioner, bearing Licence No. 05/2011(67/2016 (New) has been cancelled.

2. 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, which has not been availed of.

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 District Magistrate, 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)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
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