

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5267 of 2017

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Ramdeo Sharma, S/o Late Gulten Sharma, R/o Village- Chakla, P.S.- Narpathganj, District- Araria.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Bihar, Patna.
2. The Collector, Araria.
3. The Sub-Divisional Officer, Farbesganj, District- Araria.
4. The Block Supply Officer, Narpatganj, District- Araria.

.... Respondent

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Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate.

For the Respondents : Mr. Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-03-2018

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

2. The present writ petition has been filed challenging the order dated 30.12.2013 passed by learned S.D.O., Farbesganj contained in Memo No. 35 whereby and whereby the license granted to the petitioner for carrying out the business of public distribution shop within the Panchayat Badhepara within the Block Narpatganj, Araria has been cancelled.

3. At the very outset, learned counsel for the petitioner fairly accepts that remedy by way of statutory appeal before the Collector is available to the petitioner against the impugned order, 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 Collector for redressal of his grievances. If any such appeal is filed before the Collector within a period of three weeks from today, the same shall be disposed of expeditiously and preferably within a period of three months of filing the appeal.

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

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