

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18528 of 2016**

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Sherpura Self Supporting Cooperative Society Ltd. through its Operator Lalan Sharma, Son of Ramjee Sharma, Resident of village-Sherpur, P.S. Alipur, District Gaya

.... .... Petitioner

Versus

1. The State of Bihar through Secretary, Food & Civil Supply Department, Old Secretariat, Bihar, Patna
2. The S.D.O. Tekari, Gaya
3. The Block Supply Officer, Tekari, Gaya

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Vijay Anand, Advocate

For the Respondents : Mr. Manoj Kumar, AC to GP4

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

**ORAL JUDGMENT**

**Date: 05-04-2018**

The present writ petition has been filed for quashing the order dated 22.02.2016 contained in Memo No. 139/Yo passed by Sub-Divisional Officer, Tekari, Gaya whereby and whereunder the PDS licence granted to the petitioner for carrying on the business of PDS shop has been cancelled.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector, Gaya is available to the petitioner against the impugned order dated 22.02.2016 contained in Memo No. 139/Yo passed by Sub-Divisional Officer, Tekari, Gaya, 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, Gaya for redressal of its 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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