

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5603 of 2015

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Nagina Prasad Yadav. Son of Late Doarika Yadav. Resident of village -
Dhakakhan, Police Station - Ramnagar, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food & Consumer Protection Department, Old Secretariat, Patna.
2. The District magistrate, Bettiah, District - West Champaran.
3. The Sub-Divisional officer, Bagaha, District - West Champaran.
4. The District Rationing officer, Bettiah.
5. The Block Supply Officer, Ram Nagar, Bettiah.
6. The Block Development Officer, Ram nagar, Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Respondent/s : Mr. DR. ANSHUMAN- SC14

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-08-2018

The present writ petition has been filed against the order dated 18.03.2015 bearing Memo No. 119 passed by the Sub-Divisional Officer, Bagaha (respondent no. 3) whereby and whereunder the petitioner's P.D.S. licence has been cancelled; and for connected reliefs.

2. At the very outset this Court takes note that the petitioner has alternate statutory remedy against the order of cancellation by way of appeal before the Collector, which has not been availed of by the petitioner.

3. Learned counsel for the petitioner fairly accepts that remedy by



way of appeal is available.

4. In the above circumstances, the writ petition stands dismissed with liberty to the petitioner to file appropriate statutory appeal against the impugned order of cancellation.

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)

Chandran/BT

AFR/NAFR	NAFR
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