

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6880 of 2017

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Nageshwar Prasad Yadav Son of Late Mahabir Prasad Yadav Resident of Village
- Jiwachhpur, Police Station - Gamaharia, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food, Supply and Consumer Protection Department, Patna.
2. The District Magistrate, Madhepura.
3. The Sub Divisional Officer, Madhepura.
4. The District Supply Officer, Madhepura.
5. The Block Supply Officer, Gamharia, District - Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Respondent/s : Mr. ARVIND UJJWAL-SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-07-2018

The present writ petition has been filed for quashing the order dated 18.11.2016 contained in memo no. 491 passed by the Sub Divisional Officer, Madhepura and the appellate order dated 19.04.2017 in memo no. 230 passed by the District Collector, Madhepura in PDS Licence Appeal No. 34 of 2016, whereby the PDS dealership of the petitioner, bearing Licence No. 02/1991(old)/1/2013(new) has been cancelled.

2. At the very outset, this Court takes note that remedy by way of revision before the Divisional Commissioner is available to the petitioner against the impugned order passed in PDS Licence Appeal



No. 34 of 2016, 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 a revision petition before the Divisional Commissioner for redressal of his grievances.

4. It is made clear that in case such a revision petition 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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