

THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9610 of 2015

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Md. Irfan Hasan Son of Md Ramjan Ali resident of Village- Koilhara P.S. -
Madhuban, District- East Champaran

.... Petitioner

Versus

1. The State of Bihar.
2. The District Collector, Motihari, East Champaran.
3. The Sub divisional officer, Pakrideyal, East Champaran
4. The Circle officer cum Block Supply officer, Madhuban Pakrideyal, East Champaran

.... Respondents

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate

For the Respondents : Mr. Ajay Bihari Sinha, SC 19

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-08-2018

The present writ petition has been filed for the following

reliefs –

“(i) For issuance of a writ in the nature of Certiorari for quashing of the Memo No. 137 dated 10-01-2015 issued under the signature of the Sub-divisional officer Pakrideyal (Respondent No. 3) contained in annexure-7 to the writ petition whereby and where under the License bearing no. 122/07 for shop issued in favour of the petitioner under the Public distribution system for the Grampanchayat Raj Koilhara, Block-Madhuban, District East Champaran has been cancelled.

(ii) For issuance of a writ in the nature of mandamus commanding and directing the respondents to make available the food grain, k. oil etc to the petitioner provided under the public distribution system as well as to provide all the kinds earlier to the Memo No. 137 dated 10-01-2015 i.e. before the cancellation of the license of the petitioner for distribution in the



grampanchayat Koilhara, Block Madhuban, District East Champaran.

(iii) For any other relief/reliefs for which the petitioner is entitled from the facts and circumstances of the case.

2. At the very outset, this Court takes note that remedy by way of appeal before the Collector is available to the petitioner against the impugned order dated 10.01.2015, 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 view of availability of the alternative remedy as above, this Court is not inclined to interfere in the matter. The writ petition stands disposed of with liberty to the petitioner to file a revision petition before the Collector, East Champaran, Motihari for redressal of his grievances.

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.

B.T/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16 .08.2018
Transmission Date	N.A.

