

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16143 of 2016

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Chandrawati Devi @ Chandreawati Kuwar W/o Late Kapildeo Pandey R/o-
Vill.- Amarpura, P.S.- Amarpura, Block- Mohammadpur, Sub-Division-
Gopalganj, Dist.- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj.
3. The District Supply Officer, Gopalganj.
4. The Sub-Divisional Officer, Gopalganj.
5. The Executive Magistrate, Gopalganj.
6. The Block Supply Officer, Sidhwalia Block, Gopalganj.

.... Respondents

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Appearance :

For the Petitioner : Mr. Harendra Prasad, Advocate.

For the Respondents : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

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

2. The present writ petition has been filed for the following
reliefs –

“(a) For issuance of appropriate writ commanding and directing the respondents authorities to restore the P.D.S. license of the petitioner, by quashing the order dated 03.05.2010 (as Ax-4) in the Supply Appeal No. 122/2008 passed by the District Magistrate, Gopalganj and also the order dated 20.06.2008 (As Annexure-5) passed by the SDM, Gopalganj vide the letter bearing no. 1895 vide which the PDS license of the petitioner has been cancelled without



having any valid reason and without any complaint by the consumer or beneficiary of the area of the petitioner. .

(b) For the issuance of an appropriate order/Direction/Writ for to issue the appropriate order/Direction/Writ to restore the license of the petitioner, who has always obeyed, honored, recognized and respected the law formulated by the legislator regarding the Public Distribution System under Bihar Public Distribution System (Control) orders and that's why she is working there since very long period.

(C) For the issuance of any other Relief/Reliefs to which the petitioner may found entitled to in the facts and circumstances of the present case."

3. 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 dated 03.05.2010 passed in Supply Appeal Case No. 122 of 2008, 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 a revision petition before the Divisional Commissioner for redressal of her grievances.

5. 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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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