

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

**Civil Writ Jurisdiction Case No.14330 of 2015**

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1. Ashok Prasad Yadav Son of Baccha Yadav, Resident of Village - Dharampur,  
P.S. - Amarpur, District - Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Banka.
3. The Sub - Divisional Office, Banka.
4. The Block Supply Officer, Amarpur, Banka.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Baidya Nath Thakur, Adv  
For the Respondent/s : Mr. GP4- UMA SHANKAR

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

**ORAL JUDGMENT**

**Date: 18-08-2018**

The present writ petition has been filed against the order dated 09.07.2015 passed by the Sub-Divisional Officer, Banka (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 disposed of 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/Md. Ibrarul

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