

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

**Civil Writ Jurisdiction Case No.13678 of 2014**

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Kanhaiya Prasad son of Gaya Sah resident of village Lalgah, Block- Chanpatia,  
Post- Lalgah, District- West Champaran, Bettiah.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Food Supply and consumer Protection Department, Bihar, Patna.
2. The Collector, West Champaran, Bettiah.
3. The S.D.O., Bettiah Sadar, West Champaran.
4. The District Supply Officer, Bettiah.
5. The Block Supply Officer, Chanpatia, District- Bettiah.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Sunil Kumar Sinha, Advocate

For the Respondents : Mr. Uma Shankar, GP-4

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

ORAL JUDGMENT

**Date: 09-05-2018**

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

2. The present writ application has been filled for the  
following reliefs --

*“(a) A writ of certiorari be issued for quashing the order passed by the S.D.O. cum-Licensing authority, Bettiah Sadar, West Champaran vide Memo no. 71 dated 12.02.2014 whereby the P.D.S. dealership license bearing no. 66/2007 of the petitioner has been cancelled without any lawful consideration.*

*(b) A direction be issued for the restoration of P.D.S. License of the petitioner.*

*(c) Any other order/orders as your Lordships may deem fit and proper under the facts and circumstances of the*



case.”

3. 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 contained in Memo No. 71 dated 12.02.2014, 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 an appeal before the Collector, West Champaran at Bettiah 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.

**(Vikash Jain, J)**

B.T/Chandran

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