

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15377 of 2015

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Hira Lal Sahani Son of Sukhdeo Sahani Resident of Village - Madhopur, Post Office - Anjna Kol, Via - Motipur, Anchal & Block - Motipur, Police Station - Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector cum District Magistrate, Muzaffarpur, District - Muzaffarpur.
3. The Sub-Divisional Officer (West), Muzaffarpur, District - Muzaffarpur.
4. The District Supply Officer, Muzaffarpur, District - Muzaffarpur.
5. Additional District Supply Officer (West) Muzaffarpur, District - Muzaffarpur.
6. The Block Marketing Officer, Block - Motipur, District - Muzaffarpur.
7. Block Supply Inspector, Motipur Block, District - Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Jha, Adf

For the Respondent/s : Mr. N.K. SINGH- SC2

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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 15.12.2014 bearing Memo No. 1265 passed by the Sub-Divisional Officer (West), Muzaffarpur (Supply Section) (respondent no. 3) whereby and whereunder the petitioner's P.D.S. Licence bearing No. 23020030 of 2008 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

AFR/NAFR	NAFR
CAV DATE	NA
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