

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15323 of 2017

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Indrajeet Ram S/o Late Badri Ram, Resident of Village- Dariyapur Prem, P.S.- Paliganj, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food & Civil Supply, Govt. of Bihar, Patna.
2. The Director, Social Welfare Department, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate cum Collector, Patna.
5. The Sub- Divisional Officer, Sub- Division, Paliganj, District- Patna.
6. The Block Supply Officer, Paliganj, District- Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate

For the Respondents : Mr. S. Raza Ahmad-AAG5

Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-02-2018

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 –

“(i) For the issuance of a rule in the nature of writ of certiorari for quashing the order dated 10.10.2017 passed by respondent no. 5 The Sub-Divisional Officer, Paliganj, District Patna vide Memo No. 297/R whereby and whereunder the P.D.S. Licence of the petitioner bearing No. 51/2016 has been cancelled.

(B) For the issuance of a rule in the nature of writ of mandamus commanding the respondent authorities to revoke the cancellation of the aforesaid license of the petitioner for the benefit of the beneficiaries of the



petitioner shop for ends of justice.”

2. At the very outset, this Court takes note that remedy by way of appeal before the District Magistrate, Patna is available to the petitioner against the impugned order dated 10.10.2017, which has not been availed of by the petitioner.

3. 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 District Magistrate, Patna for redressal of his grievances.

4. 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

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

