

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2303 of 2019

Ashok kumar (Male) aged about 37 years, son of Late Babuji Mehta, Resident of Medhiya Ward no. 6, under Gram Panchyat, P.O.- Daparkha, P.S.- Triveniganj, District- Supaul- 852139.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, Food Supply and Commerce Department, Govt. of Bihar, Patna.
2. The District Magistrate, Supaul.
3. The S.D.O cum Licensing Authority, Triveniganj, District- Supaul. District- Supaul.
4. The Block Supply Officer Triveniganj, Block, P.S. and District- Supaul. Supaul.
5. Dipak Kumar aged about 27 years Male, son of Sadanand Yadav resident of Village Dahariya, Ward no. 11, P.O. , P.S.- Chhatapur, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravi Shankar, Advocate
For the Respondent/s : Mr.S.Raza Ahamad (AAG5)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-04-2019 Heard learned counsel for the parties.

This writ application has been preferred for issuance of a writ in the nature of *certiorari* to quash the license of PDS Shop issued in favour of respondent no. 5.

It is the case of the petitioner that respondent no. 5 is not resident of the Panchayat where vacancy has been advertised by the District Magistrate, Supaul under Gram Panchayat Daparkha, Block Triveniganj, District – Supaul.

Learned counsel for the State submits that the petitioner has a remedy available under Clause 32 of the Bihar



Targeted PDS (Control) Order, 2016, and the petitioner, if so aggrieved, he may seek remedy before the statutory authority. Learned counsel for the State has pointed out that there is an alternative statutory remedy available to the petitioner, this writ application is being disposed of with liberty to the petitioner to seek his statutory remedy in accordance with law. If the statutory appeal is preferred by the petitioner within a period of 30 days from today, the same will be considered on its own merit and in case any question of limitation arises the same will be considered keeping in mind that the petitioner was pursuing his remedy before this court.

This writ application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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