

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2418 of 2019

Abhishek Kumar @ Abhishek Kumar Rishi, aged about 30 years, Male, son of Panchanand Rishi, Resident of Village- Belwa, P.S. Dagarwa, Distt. Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Purnea Division, Purnea.
2. The Collector, District- Purnea.
3. The Sub-Divisional Officer, Sadar, Distt. Purnea.
4. The District Supply Officer, District- Purnea
5. The Block Supply Officer, Dararwa Block, in the district of Purnea
6. Sobha Ranim, aged about 29 years, Female, W/o Abhishek Kumar Rishi@ Abshishek Kumar, Resident of Village- Belwa, P.S. Dagarwa, Dist. Purnea.
7. Sajan Kumar@ Mithu Kumar, aged about 22 years, Male, S/o Sushil Kumar @ Sushila Thakur, Resident of Village- Dihia, P.S. Jalalgarh, Distt. Purnea but he has wrongly given his address at village Buari, P.S. Dagarwa, Distt. Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.M.P.Bhartee, Adv. Mrs. Manisha Prakash, Adv.
For the Respondent/s	:	Mr.Arbind Ujjwal, SC 4.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-04-2019 After some argument, learned counsel for the petitioner submits that, in fact, he is aggrieved by the cancellation of his selection and then grant of licence of PDS shop in favour of respondent no.6. It is submitted that the petitioner has taken up this matter with the District Magistrate, Purnea by filing a representation. A statement has been made in Paragraph '19' of the writ application that the respondent authorities have not taken any action upon the representation filed by the petitioner.

Learned counsel for the State submits that the



petitioner has an alternative statutory remedy of filing an appropriate appeal before the District Magistrate, hence, this Court may not go into the merit of the contention and the writ application may be disposed of giving an opportunity to the petitioner.

After hearing learned counsel for the parties, this writ application is being disposed of with liberty to the petitioner to pursue his remedy with the District Magistrate, Purnea. In case the representation has been filed by the petitioner, the same may be treated as an appeal and the petitioner will be at liberty to substantiate his submissions by filing such pleadings as may be advised to the petitioner within a period of 15 days from today. If such a remedy is applied for on behalf of the petitioner before the District Magistrate, Purnea, the same may be considered after hearing all concerned and a reasoned order thereon shall be passed by the District Magistrate, Purnea within a period of three months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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