

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2855 of 2019

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Sushil Kumar (Male) aged about 28 years son of Late Ram Janam Singh
resident of Village - Janakdhari Lal Road (Near Pani Tanki), Police Station +
P.O. Danapur, District Patna

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies,
Old Secretariat, Patna
2. The District Magistrate, Patna
3. The Sub-divisional Officer-cum-Licensing Officer, Danapur, Patna
4. The Assistant District Supply Officer, Danapur, Patna
5. The Block Supply Officer, Danapur, Patna

... .. Respondents

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Appearance :

For the Petitioner : Mr. Mukul Prasad, Advocate
For the Respondents : Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 11-06-2019

This matter has been heard and is being taken up for
final disposal at the admission stage itself with consent of the
parties.

2. The present writ petition has been filed for quashing
the order dated 18.06.2016 as contained in memo no. 670 passed by
the Sub-Divisional Officer-cum-Licensing Officer, Danapur, Patna
as contained in Annexure-2 and also for quashing the appellate order
dated 12.10.2018 passed by the District Magistrate, Patna in E.C.
Appeal No. 39 of 2016-17 as contained in Annexure-4; and also for
any consequential reliefs.

3. At the very outset, this Court takes note that remedy
by way of revision before the Divisional Commissioner is available



to the petitioner against the impugned order passed in E.C. Appeal No. 39 of 2016-17, which has not been availed of by the petitioner.

4. Learned counsel for the petitioner fairly accepts that remedy by way of revision is available

5. 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 a revision petition before the Divisional Commissioner for redressal of his grievances.

6. It is made clear that in case such a revision petition 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)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16.06.2019
Transmission Date	N.A.

