

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3709 of 2019**

Indrjeet Prasad Chaurasiya (Male) aged about 60 years, Son of Budhan Prasad Chaurasiya Resident of Kartahi, Village Panchayat-Kaj, Police Station-Gurua, District-Gaya

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Food and Consumer Protection, Govt. of Bihar at Patna
2. The District Magistrate Gaya
3. The Sub Divisional Officer, Shergharti, Dist- Gaya
4. The Assistant District Supply Officer, Shergharti Gaya
5. The Block Supply Officer, Gurua, Dist- Gaya

... .. Respondents

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar  
For the Respondent/s : Mr.Arvind Ujjwal (SC4)

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      04-07-2019                      Although learned counsel for the petitioner submits that the appellate authority has not considered the issues raised before him in appeal, this court finds that the writ application is totally silent on what were the grounds taken by the petitioner before the appellate authority. A copy of the Memorandum of Appeal is not available on the record.

Learned counsel for the State submits that the petitioner has an alternative statutory remedy by filing a revision before the Divisional Commissioner, Magadh, Gaya, and, therefore, the writ application is not fit to be entertained at this stage.

In the given facts and circumstances of the case as



there is lack of pleading and even the Memorandum of Appeal is not available on the record as also that the petitioner has got an alternative statutory remedy of revision before the Divisional Commissioner, Gaya, this court is not inclined to entertain the writ application at this stage.

The writ application stands disposed of with liberty to the petitioner to move in revision, if so advised, before the Divisional Commissioner, Magadh, Gaya within a period of 30 days from today.

In case, such Revision Application is filed within the prescribed period the same will be considered on it's own merit and in case any question of limitation arises for consideration the same will be considered keeping in mind that the petitioner was pursuing his remedy before this court.

The Revision Application, if preferred, shall be disposed of within a period of 90 days from the date of filing of the Revision Application.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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