

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5191 of 2019

=====

Lallan Bin Son of Harish Chandra Bin Resident of Village- Sultanpur, P.S.-
Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna
2. The District Magistrate, Siwan
3. The Sub Divisional Officer, Siwan Sadar, Siwan.
4. The District Supply Officer, Siwan, District- Siwan.
5. The Block Supply Officer, Raghunathpur, Siwan

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Adv
	:	Mr. Kundan Kumar, Adv
	:	Mr. Ayush Kumar, Adv
For the State	:	Mr.Alok Ranjan, A.C. to A.A.G.-5.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date : 19-11-2019

Petitioner in this case is aggrieved by and dissatisfied with the order dated 18.12.2018 passed by the Collector-cum-District Magistrate, Siwan in Supply Appeal Case No.161/16-17/85/18-19 as contained in Annexure-8 to the writ application by which the appeal preferred by the petitioner against the order dated 27.12.2016 passed by the Sub Divisional Officer-cum-Licensing Authority, Siwan cancelling the licence of the petitioner has been rejected.

2. On the last date, after going through the impugned order and the stand taken in the counter affidavit, this Court had



expressed its prima facie view to learned counsel for the petitioner whereunder this Court was of the opinion that there being an alternative remedy of revision available to the petitioner, the writ application need not be entertained.

3. Learned counsel for the petitioner, however sought time to enable him to go through the statement in the counter affidavit and if required to file rejoinder.

4. No rejoinder has been filed in the meantime.

5. Considering the facts and circumstances of the case whereunder this Court finds that the petitioner has adequate remedy of revision available before the Commissioner, Siwan where he can raise all such issues, this Court disposes of the writ application without interfering with the impugned orders but giving liberty to the petitioner to seek his remedy of revision under the Bihar Targeted PDS (Control) Order, 2016(hereinafter referred to as 'the Control Order of 2016').

6. In case, revision application is filed before the competent authority under the Control Order of 2016 within a period of 30 days from today, the same will be considered keeping in view that the petitioner had moved this Court against the appellate order and was pursuing his remedy before this Court under some bonafide belief.



7. The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Nitesh/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.11.2019
Transmission Date	

