

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10571 of 2019

Manoranjan Karamkar, male aged about 53 years, S/o Sipat Lal Karamkar
R/o Village /Mohalla-Mirpur, P.O. and P.S.-Sontha and Rauta, District-Purnia

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary Food and Civil Supply,
Government of Bihar, Patna
2. The Principal Secretary, Food and Civil Supply, Bihar, Patna
3. The District Magistrate Purnia
4. The District Supply Officer Baisha, Purnia
5. The Sub-divisional Officer Baisi, Purnia
6. The Block Supply Officer, Baisi

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Alok Ranjan, Mr. Rajiv Ranjan, Advocates
For the Respondents	:	Mr. Md. Kamil Akhtar, AC to AAG5

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 13-06-2019

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 the following reliefs as formulated by the petitioner :

“(i) For quashing the order dated as contained in memo no. 225 dated 18.01.2019 issued and passed by the Sub Divisional Officer Baisi, whereby and whereunder the learned Sub divisional Officer Baisi, has cancelled the Fair Price shop of the petitioner under Public Distribution System bearing License no. 12/2016, without considering the showcause reply of the petitioner , only on the basis of one day closer of the shop and on the basis of recommendation made by the



Block Supply officer, Baishi.

(ii) Further for direction to the respondents to restore the supply to the Fair Price shop of the petitioner under Public Distribution system bearing License no. 12/2016.

(iii) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

3. At the very outset, this Court takes note that remedy by way of appeal before the District Magistrate is available to the petitioner against the order dated 18.01.2019 passed by the Sub Divisional Officer Baisi, which has not been availed of by the petitioner.

4. Learned counsel for the petitioner fairly accepts that remedy by way of appeal 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 an appeal before the District Magistrate, Purnia for redressal of his grievances within a period of one month from today.

6. It is made clear that in case such an appeal 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

