

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4594 of 2019**

1. M/s Sinha Rice Mill, Saigona Through Its Proprietor, Sanat Kumar Sinha, S/o Chaitram Sinha, Aged About 42 Years, R/o Village-Saigona, Gram Panchayat-Saigona, Tahsil-Khamhariya, Police Station-Khamhariya, District : Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Khadya Nagrik Aapurti Avam Upbhokta Sanrakshan Vibhag, Mantralaya Atal Nagar, Nava Raipur, District : Raipur, Chhattisgarh
2. The Commissioner-Cum-Director, Khadya Nagrik Aapurti Avam Upbhokta Sanrakshan Vibhag, Atal Nagar, Nava Raipur, District : Raipur, Chhattisgarh
3. The Collector (Food Branch), District : Bemetara, Chhattisgarh
4. The Superintendent Engineer, Chhattisgarh Rajya Vidyut Vitran Company Maryadit, District : Bemetara, Chhattisgarh
5. Jila Vipdan Adhikari-Bemetara, District : Bemetara, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Pushpendra K. Patel, Advocate
For State	:	Mr. Anshuman Shrivastava, P. Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.12.2019**

1. The Challenge in the present Writ Petition is to the Order Annexure P-1 dated 07.12.2019 passed by the District Collector, Bemetara to the Respondent No. 2.

2. Vide the impugned order, the Collector has placed the petitioner establishment in the Black List and has further ordered for disconnection of the electricity connection that was given to the petitioner establishment by the electricity company. The action under challenge in the present writ petition is one which is initiated under the Chhattisgarh Rice Custom Milling Order 2016. Order 11 of the said order of 2016 provides for an appeal against the order passed by the collector to the appellate forum prescribed under the order that is to the concerned district judge and the period of appeal is 30 days from the date of receipt of the order. The petitioner by-passing the remedy of an appeal under the remedies provided under the rules governing the field has filed the present Writ Petition.
3. This Court at the outset is of the opinion that, since there is an alternative statutory remedy available to the petitioner and the appeal being liable to the concerned district judge and there being still period of limitation available for the petitioner, it would not be appropriate for the High Court to substitute itself as an appellate body to sit over the action passed by the Collector under the order of 2016.
4. The Writ Petition, accordingly stands dismissed. Reserving the right of the petitioner to approach the concerned Appellate forum.

Sd/-
P. Sam Koshy
Judge