

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8024 of 2020

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Mahendra Ram Son of Shivnandan Ram, Resident of village Motihari P.S.
Sikarpur, Sub Division- Narkatiyaganj, West Champaran Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate, Bettiah, West Champaran.
3. The Sub Divisional Officer, Narkatiyaganj, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Mishra, Advocate
For the Respondent/s	:	None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 18-12-2020

This matter has been taken up for hearing through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The present writ petition has been filed for quashing the order contained in memo no. 603 dated 09.05.2020 (Annexure-3) passed by the Sub-Divisional Officer, Narkatiaganj, West Champaran, Bettiah by which licence of the petitioner's Fair Price shop bearing no. 56/2016 has been cancelled and monthly allotment has been stopped; and further to restore the petitioner's licence.

3. At the very outset, this Court takes note that statutory remedy by way of appeal before the District Magistrate is available to the petitioner against the impugned order dated



09.05.2020, which has not been availed of by the petitioner.

4. In view of availability of the alternative remedy as above, this Court is not inclined to interfere in the matter. The writ petition stands disposed of with liberty to the petitioner to prefer an appeal before the District Magistrate, for redressal of his grievances.

5. 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.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	22.12.2020
Transmission Date	-

