

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6107 of 2020

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Surendra Kumar son of Late Shri Yogeshwar Rai, resident of village-
Jitwarpur Hasanpur, P.s. Muffasil, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna
2. The District Magistrate, Samastipur
3. The Assistant Collector cum Assistant Magistrate, Samastipur
4. The District Supply Officer, Samastipur
5. The Sub Divisional Officer, Samastipur
6. The Block Supply Officer, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Aslam Ansari
For the Respondent/s	:	Mr.Arvind Uujawal (SC 4) with
	:	Mr.Upendra Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-07-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner has filed the present writ application seeking quashing of an order dated 30.08.2018 passed by the Sub Divisional Officer, Samastipur whereby in exercise of power under Rule 27 of the Bihar Targeted Public Distribution System (Control) Order, 2016 (hereinafter referred to as ‘the Control Order, 2016’), he, in his capacity as Licensing Authority, has cancelled the petitioner’s license to run a PDS shop. The petitioner had preferred an appeal against the said



order which has also been dismissed by the Collector, Samastipur by an order dated 24.12.2019 which is also under challenge.

There is no dispute that the petitioner has alternative statutory remedy of revision under 2016 Order of revision under Rule 32(VI) of the said Control Order, 2016.

Considering the fact that the petitioner has an alternative statutory remedy which he has not availed, this application is disposed of with an observation that the petitioner shall be at liberty to approach the Revisional Authority within one month from today. If he files a revision petition within one month from today, the Revisional Authority shall liberally consider the petitioner's prayer for condonation of delay, keeping in mind the fact that the petitioner was pursuing his remedy before this Court by filing present writ application.

If such revision application is filed within the aforesaid period, the Court expects that the same shall be decided expeditiously in accordance with law.

(Chakradhari Sharan Singh, J)

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