

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9553 of 2021

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Dhanushdhari Sah, son of Kiro Sah, Resident of Village- Ghat Paras, Bind Toli, Ward No. - 5, P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector, Khagaria
3. The Sub Divisional Officer, Khagaria.
4. The Block Supply Officer, Alauli, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari, Advocate
For the Respondent/s : Mr.Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

- 4 01-04-2022 The petitioner's licence to run a PDS shop under Bihar Targeted Public Distribution System (Control) Order, 2016 has been cancelled by an order dated 25.04.2020 by the Sub-Divisional Officer, Khagaria-cum-Licensing Authority. The petitioner's appeal has also been rejected by the Collector, Khagaria-cum-Appellate Authority by an order dated 22.12.2020. The petitioner has assailed the aforesaid two orders without invoking the remedy of revision available under Rule 32(6) of the Control Order, 2016.



As the petitioner has not availed the statutory remedy of revision under Rule 32(6) of the Control Order, 2016, we are not inclined to entertain this writ application as, in our view, no exceptional extraordinary circumstance has been made out requiring this Court's interference exercising writ jurisdiction despite availability of alternative statutory remedy of appeal.

We, accordingly, dispose of this application with a liberty to the petitioner to avail the remedy of revision under Rule 32(6) of the Control Order, 2016. We indicate that if the petitioner approached the Revisional Authority within four weeks from today by filing a revision with an application seeking condonation of delay, the Revisional Authority shall be under obligation to consider the petitioner's revision application on merit and shall condone the delay in making revision application, keeping in mind the fact that the petitioner has been pursuing his remedy before this Court by filing the present writ application.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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