

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5709 of 2023

=====

Umesh Khirahari, aged about 82 years, male, Son of Late Dhanna Khirahari,
Resident of Village-Khajuri, P.O.-Ramchua, P.S.-Shambhuganj, District-
Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies
Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
3. The District Magistrate, Banka.
4. The District Supply Officer, Banka.
5. The Sub-Divisional Officer, Banka.
6. The Block Supply Officer, Shambhuganj, District-Banka.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. U.P. Singh, AC to SC 4

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 28-04-2023

Heard learned counsels for the respective parties.

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“i) To issue a writ in nature of certiorari
setting aside the order dated 31.12.2022 contained in
Memo No. 1097 issued by the Sub-Divisional
Officer, Banka by which he was pleased to cancel
the P.D.S. dealership license No. 23/2012 of the
petitioner with immediate effect.

ii) To issue a writ in the nature of
mandamus commanding/directing the Respondents
to restore the P.D.S. dealership license of petitioner.



iii) And/or for any other relief or reliefs for which petitioner is found entitled to, in the facts and circumstances this case.”

3. Admittedly, petitioner has not exhausted remedy of appeal before the appellate authority, therefore, the present petition is premature.

4. Accordingly, writ petition stands disposed of reserving liberty to the petitioner to invoke remedy of appeal before the appellate authority. In the event of filing of such appeal, appellate authority is hereby directed to decide the petitioner’s appeal within a reasonable period of time.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.04.2023
Transmission Date	NA

