

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6427 of 2023

Md. Sarvar Alam, aged about 48 years S/o Abdul Rajjak Resident of Mangalpur Ward No.-12, P.S.-Amour, District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Collector Purnea.
3. The Sub Divisional Officer, Baisi, Purnea.
4. The Block Supply Officer, Amour, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Dhananjaya Nath Tiwari, Advocate Mr. Kumar Rajdeep, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC 4

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

Date : 15-05-2023

Heard learned counsels for the respective parties.

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

“That the present writ application is being filed on behalf of the petitioner above named for setting aside the order dated 11.03.2023 passed in Record No. 3/2022-23 by the Learned Sub Divisional Officer-cum-licensing authority, Baisi by which he was pleased to cancel the PDS license of the petitioner being license no. 93/2016 granted under the provisions of Bihar Targeted PDS Control Order, 2016.”



3. *Prima facie* the present writ petition is premature, since the petitioner has not exhausted statutory remedy of appeal before the appellate authority/District Magistrate against the order of the Sub-Divisional Officer-cum-Licensing Authority, Baisi dated 11.03.2023.

4. In the light of Apex Court decision in the case of *State of Jammu and Kashmir V/s. R.K.Zalpuri and others* reported in **AIR 2016 SC 3006, Paragraph-20** the present writ petition is premature. Accordingly, writ petition stands disposed of reserving liberty to the petitioner to exhaust statutory remedy of appeal before the appellate authority.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.05.2023
Transmission Date	NA

