

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6851 of 2023

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Vinay Kumar Chaudhary, Son of Ramuna Chaudhary, Resident of Village-
Saraiya, Police Station- Shahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
Agriculture, Government of Bihar, Patna
2. The Principal Secretary, Department of Agriculture, Government of Bihar,
Patna
3. The Director, Department of Agriculture, Government of Bihar, Patna.
4. The Joint Director, Department of Agriculture, Government of Bihar, Patna.
5. The District Magistrate, Muzaffarpur.
6. The District Agriculture Officer, Muzaffarpur.
7. The Block Agriculture Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Nandan, Advocate
For the Respondent/s : Mr.Anant Pd. Singh (SC-15)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 16-05-2023

The petitioner challenges the memo dated 02.09.2020 which cancelled his fertilizer licence on the ground that he has diverted fertilizers by sale to persons other than farmers. A copy of the Memo No. 2945 dated 02.09.2020 is produced along with the writ petition as Annexure-1. The petitioner had a remedy under Clause 32(a) of the Fertiliser (Inorganic, Organic or Mixed) (Control) Order, 1985. The appellate remedy should have been sought within thirty days from the order of cancellation. The petitioner having not sought the appellate



remedy cannot seek the extraordinary remedy under Article 226 of the Constitution of India after more than two years.

The writ petition will stand dismissed *in limine*.

(K. Vinod Chandran, CJ)

P.K.P./Anushka

AFR/NAFR	
CAV DATE	
Uploading Date	19.05.2023
Transmission Date	

