

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10217 of 2022

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Adhik Lal Yadav Son of Late Ganesh Prasad Yadav @ Ganesh Yadav,
Resident of Village - Ghasia, P.S. - Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. S. Raza Ahmad (Aag 5)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

7 19-03-2024 Heard the learned counsels for the parties.

The present writ petition has been filed for the
following relief(s):-

“(A) To issue a writ in the nature of certiorari for setting aside the order dated 29.04.2022 passed by the District Magistrate, Banka in Supply Appeal Case No. 607/2019-20, whereby and whereunder the appeal filed by the petitioner has illegally been rejected.

(B) To issue a writ in the nature certiorari, setting aside the order contained in Memo No. 13 dated 26.11.2019 issued under the signature of Sub-Divisional Officer,



Banka, whereby and whereunder the PDS dealership license No. 52/12 of petitioner, has illegally been cancelled, without property considering the show cause submitted by the petitioner.

(C) To issue a writ in the nature of mandamus commanding and directing the Respondents, to restore PDS dealership license of petitioner and allow him to lift the food grains etc. to be distributed amongst the beneficiaries of his PDS shop.

(D) Any other relief or reliefs for which the petitioner is to be entitled in the facts and circumstances of the case.”

3. Without going into the merits or demerits of the case, having regard to the fact that the petitioner is having an alternative and efficacious remedy of filing a revision under Section 32(vi) of the Control Order 2016. The petitioner is directed to approach the Divisional Commissioner ventilating his grievance within a period of four weeks from the date of the receipt of a copy of this order. On receipt of the revision, the Divisional Commissioner shall pass necessary orders strictly in accordance with law within a period of four weeks thereof. It is needless to mention that before any order is passed, all the parties shall be put on notice and given an opportunity of hearing and submit their objections. The entire exercise



shall be completed as expeditiously as possible preferably within a period of eight weeks thereof. Any order passed shall be communicated to all the parties.

4. With the above said directions, the writ petition stand disposed off.

(A. Abhishek Reddy, J)

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