

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23520 of 2013

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1. Smt. Fulpati Devi Wife Of Ramanand Ram Resident Of Village -
 Koriyam, P.S. Arwal, District - Arwal

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Food And Civil Supply
 Department, Old Secretariat, Patna
 2. The Secretary, Food And Civil Supply Department, Old Secretariat,
 Patna
 3. The District Magistrate, Arwal
 4. The Sub - Divisional Magistrate, Arwal
 5. The Block Supply Officer - Cum - Circle Officer, Arwal
 6. District Supply Officer, Arwal
 7. Marketing Officer Cum Block Supply Officer, Supply Department,
 Arwal

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Respondent/s : Mr. Kumar Sachin

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
 PRATAP SINGH**
ORAL ORDER

3 15-09-2015 The petitioner is a PDS dealer. Earlier she challenged the
 order dated 22.11.2011 passed by the Sub-Divisional Officer,
 Arwal which was affirmed by the Collector vide order dated
 5.5.2012 in C.W.J.C. No.19558 of 2012. This Court by order
 dated 16.10.2012 while allowing the writ application remitted the
 matter back to the Sub-Divisional Officer, Arwal to consider the
 representation of the petitioner and pass order afresh in
 accordance with law.

It appears that pursuant to the order dated 16.10.2012, the

petitioner again filed her representation before the Sub-Divisional Officer, Arwal who rejected the same.

Learned counsel for the petitioner submits that the rejection of the representation of the petitioner is bad as he has not considered her show cause at all. He further submits that the issuance of fresh show cause is also defective.

In my view, the petitioner should raise her grievance in appeal before an appellate authority. In case, if any appeal is filed, the same would be disposed of within three months from the date of its filing. The delay in filing of the appeal would be sympathetically considered as the petitioner was pursuing her remedy before this Court.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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