

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.450 of 2015

=====

Brijmohan Singh son of Late Vishun Singh, resident of village-Riula, Police
Station- Atri, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food
and Consumers Protection, Government of Bihar, Patna
2. The District Magistrate/Collector, Gaya
3. The Sub-Divisional Officer, Nimchak Bathani, District- Gaya
4. The Executive Magistrate, Nimchak Bathani, Dist.- Gaya
5. The Assistant District Supply Officer, Nimchak Bathani, Dist.- Gaya

.... Respondent/s

=====

Appearance:

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. S.K. Sharma, G.A.-1

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-02-2015 Heard Mr. Amar Nath Singh, learned counsel for the

petitioner and learned counsel for the State.

The petitioner is aggrieved by the order dated 27.9.2014
passed by the licensing authority-cum-Sub Divisional Officer as
contained in Annexure-3 whereby the license of the petitioner
bearing License No. 29 of 2008 for running a fair price shop
under the Public Distribution System (Control) Order, 2001 read
with the Bihar Fair Price Shop Order, 2007, has been cancelled.

Clause 15 of the Control Order provides for a remedy of
appeal and petitioner without exhausting the said statutory remedy
has approached this Court directly.

In the circumstances, the writ petition is disposed of with liberty to the petitioner to take recourse to the remedy of appeal as provided under Clause 15 of the Control Order, if so advised. The petitioner would be at liberty to raise all issues as raised herein in appeal.

It goes without saying that any such appeal filed by the petitioner within four weeks from today, if accompanied with a petition for condonation of delay, would be considered by the appellate authority on its own merit and would be disposed of in accordance with law.

S.Sb/-

(Jyoti Saran, J)

U			
---	--	--	--