

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10840 of 2017

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Surendra Kumar Poddar, son of Late Munshi Lal Poddar, resident of Village and P.O.- Mohiuddin Nagar, P.S.- Mohiuddin Nagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Samastipur.
4. The Sub-Divisional Officer, Patori, District- Samastipur.
5. The Block Supply Officer, Mohiuddin Nagar, District- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Mahasweta Chatterjee, Adv.
Mr. Shambhu Sharan Kumar, Adv.
Mr. Ram Nibash Prasad, Adv.
For the Respondent/s : Mr. Lalan Kumar, AC to GP-9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 01-09-2017

Heard learned counsel for the petitioner and counsel for the State.

The petitioner has filed revision application vide PDS Revision No. 04/2017 which has been rejected vide order dated 24.5.2017 on the ground that the revision application was barred by limitation and, for condonation of the same, he has not filed any application. On that ground alone, the petition has been rejected.

As the Divisional Commissioner, Darbhanga Division, Darbhanga, has passed the order dated 24.5.2017 rejecting the prayer only on the technical ground, the same is set aside, the matter is



remanded back and this Court directs the petitioner to file a proper limitation petition explaining the cause of delay and the Divisional Commissioner, Darbhanga Division, Darbhanga, will examine it and take a decision on limitation as well as on the merit of the case.

This application is, accordingly, allowed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	05.09.2017
Transmission Date	NA

