

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8738 of 2017

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Dhirendra Mishra, son of Late Shivnandan Mishra, Resident of Village and Post- Athar, P.S.- Sadar, District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Collector and District Magistrate, Darbhanga, District- Darbhanga.
3. The Licensing Authority-cum-Sub-Divisional Officer, Sadar Darbhanga, District- Darbhanga.
4. The Commissioner, Darbhanga.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Kumar Ravi Shankar, Adv.
For the Respondent/s : Mr. S. Raza Ahmad- A.A.G.-5
Mr. Alok Ranjan, A.C. to A.A.G.-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-08-2017 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is challenging the order dated 26.04.2017 passed by the Commissioner, Darbhanga, in P.D.S. Revision Case No.01 of 2017, whereby he has dismissed the appeal filed by the petitioner on the ground that there is no direction for admission of the case and nor any prayer has been made for condonation of delay.

It appears that on technical ground the revision application of the petitioner has been rejected by the Commissioner.



Looking to the facts and circumstances of the case, for the interest of justice the order dated 26.04.2017 passed by the Commissioner, Darbhanga is set aside. The petitioner is at liberty to file limitation petition and the Commissioner, Darbhanga will be obliged to consider the same and pass order on its merit within a period of four months from the date of receipt/production of a copy of this order. This Court is not giving any opinion on the merit of the case.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

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