

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3647 of 2017

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Anirudh Sharma, S/o Late Balram Singh, Resident of Village- Balbhdarsarai,
Panchayat- Kaba, P.S.- Hilsa, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Bihar, Patna.
2. The District Magistrate-cum-Collector, Nalanda.
3. The Sub-Divisional Officer, Hilsa, Nalanda.
4. The Block Supply Officer, Hilsa, Nalanda.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.

For the Respondent/s : Mr. Upendra Pratap Singh, A.C. to S.C.-4

Mr. Sushil Kumar, A.C. to S.C.-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-07-2017

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

In this case, the petitioner is challenging the order of
the Sub-Divisional Officer, Hilsa, dated 14.02.2017, whereby and
whereunder he has cancelled the P.D.S. licence of the petitioner by
passing a detailed order dealing with the subject matter.

Learned counsel for the petitioner submits that the
order of the Sub-Divisional Officer, suffers from illegality on two
counts; first, the proposed punishment has not been mentioned in
the show-cause and second, he has demanded the inquiry report,
but the same was not served upon him.



There is provision of appeal against the order of the Sub-Divisional Officer. Let the petitioner exhaust the alternative remedy of appeal before the appellate authority. If the petitioner files an appeal before the appellate authority within a period of four weeks from today, the appellate authority shall dispose of the same within a period of four months from the date of filing of such appeal. While deciding the question of limitation, the appellate authority shall take into consideration the pendency of this case before this court.

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

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	22.07.2017
Transmission Date	N/A

