

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2183 of 2017

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1. Manoj Paswan, Son of Bino Paswan, Resident of Village-Mathurapur,
P.S.-Muffasil (Khagaria), District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Department, Food, and Civil Supplies Department, Old Secretariat. Patna.
2. The Collector, Khagaria.
3. The SDO, Khagaria.
4. The Block Supply Officer, Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D. N. Tiwary,
Mr. Vijay Anand
For the State : Mr. S.Raza Ahmad-AAG5
Mr. Alok Ranjan, Ac to AAG5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, petitioner is challenging the order dated 4.3.2009 passed by the Sub Divisional Officer, Khagaria by which he has cancelled his licence bearing Licence No.75K/2007.

Petitioner is a valid licence holder for running a PDS shop vide Licence No.75K/2007. A show cause was issued which was replied but the Sub Divisional Officer was not satisfied and passed the order dated 4.3.2009 thereby cancelled the licence.



Petitioner has filed an appeal in 2010 but the same has not been disposed of.

In paragraph nos. 4 and 10 of the counter affidavit it has been stated that whole office was engulfed in fire and records were destroyed and in that regard proper notification was also published requesting the person concerned to take steps with regard to filing of the appeal.

In such view of the matter, petitioner is directed to file a fresh appeal before the appellate authority. The same will be treated to be filed in 2010 and appellate authority will be obliged to dispose of the same within a period of two months from the date of filing of the appeal.

With the aforesaid observation and direction this writ petition is disposed.

(Shivaji Pandey, J)

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