

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18885 of 2016**

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Shiv Mohan Prasad Son of Sri Ramchandra Sah Resident of Village-Brahampur,  
P.O.-Brahampur Sukiya, P.S.-Kamtaul, District-Darbhangha

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food & Consumer Protection Department, Old Secretariat, Patna
2. The District Magistrate, Darbhanga, District-Darbhangha
3. The Sub-Divisional Officer, Sadar, Darbhanga, District-Darbhangha

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Kumar Labh, Adv.

For the Respondent/s : Mr. Upendra Pratap Singh AC-SC4

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 08-05-2017**

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

In this case, the petitioner is challenging the order dated 22.11.2013 vide memo no. 35 passed by the Sub-Divisional Officer, Sadar, Darbhanga, whereby and whereunder the Sub-Divisional Officer, Sadar Darbhanga cancelled the P.D.S. license of the petitioner, which was challenged before the appellate authority in P.D.S. Case No. 03/2014 and the appellate authority, after full discussion, vide order dated 12.02.2016, remitted back the matter to the licensing authority to pass a reasoned order. The petitioner further referred one similar case, in which the Hon'ble Court, vide order dated 19.07.2016 (annexure-8), set aside the orders of licensing



authority as well as the appellate authority.

There is provision of an appeal and the petitioner is advised to file an appeal before the appellate authority which the appellate authority shall consider and pass a reasoned order preferably within a period of four months from the date of the receipt of this order.

With the aforesaid observation, this petition is disposed of.

**(Shivaji Pandey, J.)**

Vinita/-

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