

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7491 of 2016

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Mahesh Ram, Son of Late Ram Lakshan Ram, Resident of Village - Bhagwanpur,
Police Station- Dhaka, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar, through the Collector of the District - East Champaran.
2. The Sub- Divisional Officer, Sikrahana Dhaka, District - East Champaran.
3. The Block Supply Officer, Dhaka in the District of East Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

For the Respondent/s : Mr. Lalan Kumar, A.C. to G.P.-9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-07-2017

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

In this case, the petitioner is challenging the order dated 12.09.2015, passed by the Collector, East Champaran, in P.D.S. Appeal No.56 of 2015, whereby and whereunder he has affirmed the order of the Sub-Divisional Officer, Sikrahana Dhaka, by which the Sub Divisional Officer has canceled the P.D.S. licence of the petitioner.

An inspection was conducted and during the inspection it was found that the shop of the petitioner was closed, notice board was not there, the petitioner has not distributed the food-grains for the month of March, 2014 and April, 2014 and he



used to charge higher rate than to the rate fixed by the Government. Accordingly, the petitioner was directed to file show-cause, which has been filed by the petitioner. However, the Sub-Divisional Officer was not satisfied with the show-cause and passed the order dated 26.12.2014, cancelling the P.D.S. licence of the petitioner, which was challenged by the petitioner unsuccessfully in P.D.S. Appeal No.56 of 2015.

It appears that there is a provision of Revision under the act against the order of the appellate authority. Let the petitioner exhaust the remedy of revision before the revisional authority. If the petitioner files revision, the revisional authority shall decide the same within a period of four months from today. While deciding the question of limitation, the revisional authority will consider 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.
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