

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16366 of 2016

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1. Ful Kumari Devi W/o Nageshwar Rajjak, Resident of Village- Kadirganj,
P.S. Kadirganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Food & Civil Supply
Department, Old Secretariat, Patna, Bihar.
2. The Collector, Nawada.
3. The Sub Divisional Officer, Sadar, Nawada.
4. The Additional District Supply Officer, Nawada.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the State : Mr. Upendra Pratap Singh, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, petitioner is challenging the order
dated 31.8.2016 passed by the Sub Divisional Officer,
Nawada, Sadar by which he has cancelled his licence.

Petitioner is running a PDS shop. On 29.7.2016 the
licensing authority and Additional District Supply Officer
inspected the shop of the petitioner and found certain
irregularities. Notice was issued. Petitioner has filed show
cause whereafter a report was called for from the In-charge
District Supply Officer who has filed the same vide letter no.66
dated 31.8.2016 giving his own reasoning and whereafter the



order has been passed.

It appears that the Sub Divisional Officer while passing the order has taken all aspect of the matter under consideration.

In such view of the matter, the petitioner, if so advised, may challenge the said order before the appellate authority and while disposing of the limitation matter the appellate authority will take into account the pendency of the present case before this Court. If such an appeal is filed within four weeks from today before the appellate authority, in such circumstances, the appellate authority will dispose of the same within a period of five months from the date of filing of the appeal.

Learned counsel for the petitioner, during argument, submits that In-charge District Supply Officer is higher than the Sub Divisional Officer and at whose instance the order has been passed.

This Court is not giving any opinion on the merit of the case. Appellate authority is directed to consider all aspect of the matter and pass a reasoned order in accordance with law.

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

Vinay/-

(Shivaji Pandey, J)

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