

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10490 of 2016

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Kamni Devi, wife of Late Keshaw Kumar Choudhary, Resident of village-
Madhopur Dulum @ Dhebahan, P.S. Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
3. The Sub-Divisional Officer, West Muzaffarpur, District- Muzaffarpur.
4. The Block Supply Officer, Kanti, District- Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the Respondent/s : Mr. Anil Kumar, AC to SC-8

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-08-2017

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

In this case, the petitioner is challenging the entire proceedings including the order dated 20.10.2004 passed by S.D.O., West Muzaffarpur as well as the order dated 8.1.2016 passed by the Appellate Authority and makes a prayer for grant of license to the petitioner who is the wife of deceased licensee to run the P.D.S. shop.

The husband of the petitioner was running the P.D.S. shop having valid license bearing License No. 05/2002, the shop of the petitioner inspected and it was found that he was not running the shop in terms of the Control Order, led to initiation of a proceeding against him. The Licensing Authority i.e. the S.D.O., West Muzaffarpur, passed the order against the husband of the petitioner which was challenged by the husband of the



petitioner before this Court in C.W.J.C. No. 15883 of 2004 wherein he was directed to approach to the Appellate Authority, whereafter, he filed an appeal before the Appellate Authority and when the appeal was not disposed of, he again approached this Court in C.W.J.C. No. 4118 of 2009, direction was given to the Appellate Authority to dispose of the appeal filed by the petitioner. Accordingly, the appellate authority disposed of the same.

The petitioner, instead of approaching to the Revisional Authority, has straightway approached this Court. The petitioner, if so advised, may approach to the Revisional Authority within a period of four weeks from today. If such an application is filed by the petitioner before the Revisional Authority within the aforesaid period of four weeks, he will dispose of the same within a period of four months from the date of filing of the revision application by the petitioner. While considering the issue of limitation, the Revisional Authority will take into account the pendency of this writ application before this Court.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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