

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.17024 of 2017

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Raj Kumari Devi, W/o Ganesh Prasad Rai, resident of Village- Naya Tola haraji,  
P.S.- Awtar Nagar, District- Saran.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Food Commerce and Civil Supplies, Govt. of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Sub-Divisional Officer, Sonapur, Saran.
4. The District Supply Officer, Saran at Chapra.
5. The Block Supply Officer, Sonapur, Saran.

.... .... Respondents

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#### Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv

For the Respondent/s : Mr. S.RAZA AHMAD -AAG5

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 21-02-2018**

The present writ petition has been filed for the following  
reliefs :-

- (i) *To issue an appropriate order/s, direction/s including a writ preferably in the nature of certiorari for quashing the order as contained in memo no. 44 dated 12.08.2017 issued from the office of Respondent no. 3, the Sub-divisional Officer, Sonapur, Saran, licensing authority under the Public Distribution System (Control) Order, 2001 whereby and whereunder he has cancelled the licence of fair price shop of the petitioner vide Licence No. 62/2007 without properly considering the reply to the show cause filed by the petitioner.*
- (ii) *To direct the respondent no. 2, the District*



*Magistrate, Saran at Chapra, appellate authority under the Control (Order) 2001 to expedite the hearing of Supply Appeal No. 65/17 as expeditiously as possible taking into consideration that shop in question is the only means of earning her livelihood.*

- (iii) To restore the licence of the petitioner forthwith.*
- (iv) To any other relief/s to which the petitioner is entitled to in the facts and circumstances of the case.*

2. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner's appeal bearing Supply Appeal No. 65/17 (Annexure-4) filed before the District Magistrate, Saran at Chapra (Respondent No. 2) is directed to be disposed of, in which event, the present writ petition need not be pressed on merits.

3. Learned counsel for the respondents appears and has been heard.

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of with a direction to the District Magistrate, Saran at Chapra (Respondent No. 2) to consider and dispose of the petitioner's appeal bearing Supply Appeal No. 65/17 (Annexure-4) dated 08.09.2017 (Annexure-4), if the same is pending before him, after grant of opportunity of hearing to the petitioner in accordance with law expeditiously and preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment.



(Vikash Jain, J)

Chandran/BT

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