

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14527 of 2017

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Ram Ekwāl Ram @ Ramekwāl Ram, Son of Late Rambrikhh Ram, Resident of
Village- Mahuawa, P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate-Cum- Collector, Sitamarhi, District- Sitamarhi.
3. The Sub- Divisional Officer, Sitamarhi Sadar, District- Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajeev Kumar Labh, Advocate.

For the Respondents : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-07-2018

Heard learned counsel for the petitioner as well as learned
counsel for the respondents.

2. The present writ petition has been filed for quashing
the order passed by the Sub-Divisional Officer, Sitamarhi Sadar vide
memo No. 424 dated 29.10.2016 by which licence of the petitioner
bearing no. 67 of 2007 has been cancelled (Annexure-1) because
Appeal filed by the petitioner on 09.12.2016 against the cancellation of
P.D.S. licence order before the learned District Magistrate-cum-
Collector, Sitamarhi vide Supply Appeal No. 108 of 2016 which is still
pending.

3. Learned counsel for the petitioner confines the prayer



of the petitioner with regard to disposal of the aforesaid supply appeal.

4. At the very outset, this Court takes note that the petitioner has already filed an appeal being Supply Appeal No. 108/2016 before the District Magistrate-cum-Collector, Sitamarhi against the impugned order which is still pending.

5. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of with a direction to the District Magistrate-cum-Collector, Sitamarhi (respondent no. 2) to consider and dispose of Supply Appeal No. 108/2016, if still pending, on its own merit and in accordance with law after grant of opportunity of hearing to the petitioner, expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

