

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1754 of 2018

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Bhogendra Kamat, Son of Late Jagdish Kamat, Resident of Village- Chakauti,
P.S.- Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food & Civil Supplies, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The Sub-Divisional Officer, Pupri, District- Sitamarhi.
5. The Block Supply Officer, Bokhara Block, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-04-2018

The present writ petition has been filed for the following reliefs –

- (i) To issue a writ in the nature of mandamus commanding/directing the respondent no. 4 to restore the allotment of ration/K.oil etc. to the petitioner, a PDS dealer vide Registration No. 16/2002 which has been withheld and the PDS dealership has been attached with another dealer Sri Somendra Kamat in pursuance to order dated 13.09.2007 issued by the Sub-divisional Officer, Pupri contained in Memo No. 215 and informed by memo No. 26 dated 05.10.2007 issued by the Block Supply Officer,



Bokhara Block, District Sitamarhi.

- (ii) To issue a writ in the nature of mandamus commanding/directing the respondent Sub Divisional Officer, Pupri to produce before this Hon'ble Court the order dated 13.09.2007 contained in memo no. 245 issued by the Sub-Divisional Officer, Pupri by which allotment of ration/k.oil to shop of the petitioner was attached to PDS dealer Sri Somendra Kamat.
- (iii) To issue a writ in the nature of certiorari setting aside order passed by the Sub-Divisional Officer, Pupri (respondent no. 4) contained in memo no. 245 dated 13.09.2007 by which the dealership of the petitioner was kept in suspended animation and allotment of ration/k.oil etc. of shop of the petitioner to be supplied with another PDS dealer Sri Somendra Kamat.

2. At the very outset, this Court takes note that the petitioner is aggrieved with the proceedings initiated in terms of show cause notice dated 13.09.2007 and has approached this Court after an inordinate delay of over a decade in the year 2018. No satisfactory explanation has been offered for such delay.

3. This Court is therefore, of the view that the petitioner did not act with due diligence and there has been delay and laches on his part. If he is aggrieved with the action of the respondent authorities, he ought to have approached this Court for appropriate relief immediately. In this view of



the matter, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.04.2018
Transmission Date	NA

