

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11222 of 2018

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Ram Ekbal Singh, S/o Hari Nandan Singh, resident of Village- Maheshiya, P.O. Sutihar Patti, P.S.- Derani, District- Saran.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The District Magistrate, Saran at Chapra.
4. The District Supply Officer, Saran at Chapra.
5. The Sub Divisional Officer, Sonpur, Saran at Chapra.
6. The Block Supply Officer-cum- Assistant Godown Manager, Dariyapur, Saran at Chapra.

.... Respondents

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Appearance :

For the Petitioner : Mr. Tej Pratap Singh, Advocate.

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-06-2018

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

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

“(i) To issue writ in nature of Mandamus directing the respondent no. 3, the District Magistrate, Saran at Chapra to dispose of the statutory appeal no. 76/2017 pending before him from 2017 filed against the order bearing Memo No. 1221 dated 30.11.2017 passed by the Sub-Divisional Officer, Sonpur, Saran at Chapra.

(ii) To issue writ in the nature of certiorari for quashing of the order bearing Memo No. 1221 dated 30.11.2017 issued by the Sub-Divisional Officer, Sonpur, Saran at Chapra by which the petitioner’s fair price shop bearing licence no. 91/2016 has been cancelled without considering the materials brought on



record and without giving opportunity of hearing.

(iii) For any order, writ or direction to which the petitioner is found to be entitled by this Hon'ble court may kindly be issued."

3. Learned counsel for the petitioner submits that even though the petitioner has filed a statutory appeal no. 76/2017 before the District Magistrate, Saran at Chapra as far back as in the year 2017, the same continues to remain pending.

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

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, Saran at Chapra (respondent no. 3) to consider and disposed of the appeal said to have been filed in the year 2017, 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 eight weeks 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.
Uploading Date	28.06.2018
Transmission Date	N.A.

