

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14668 of 2017

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Ashok Kumar, Son of Late Sheo Pujan Prasad, resident of Village, P.O. and P.S. Rajpur, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Collector, Rohtas.
4. The Sub Divisional Officer, Bikramganj, District- Rohtas.

.... Respondents

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Appearance :

For the Petitioner : Mr. Satyabir Bharti, Advocate

For the Respondents : Mr. Upendra Pratap Singh, AC to SC4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-05-2018

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) Issuance of appropriate writ(s), order(s), direction(s) directing the respondent No. 3, namely, the Collector, Rohtas to dispose of the appeal No. 01 of 2017, preferred by the petitioner under Rule 32(ii) of the Bihar Targeted Public Distribution System (Control) Order, 2016 against order, dated 14.1.2017, passed by the respondent No. 4, namely, the Sub Divisional Officer, Bikramganj, cancelling the petitioner’s fair price shop license, within a maximum



period of 30 days;

(ii) Alternatively, the petitioner prays for quashing the impugned order, dated 14.1.2017, passed by the respondent No. 4, namely, the Sub Divisional Officer, Bikramganj, by which the petitioner's license bearing No. 21 of 2007, situated at Village, P.O. & P.S. Rajpur, District Rohtas for running a fair price shop has been cancelled and directing the respondents to forthwith restore the petitioner's license.

(iii) To pass such other writ(s), order(s), direction(s) as your Lordships may deem fit and proper in the facts and circumstances of the case."

3. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner's Appeal No. 01 of 2017 pending before the Collector, Rohtas at Sasaram (Respondent No. 3) is directed to be disposed of, in which event, the present writ petition need not be pressed on merits.

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

5. Having regard to the nature of the grievances and the stand of the petitioners, the present writ petition is disposed of with a direction to the Collector, Rohtas at Sasaram (Respondent No. 3) to consider and dispose of the petitioner's Appeal No. 01 of 2017, if the same is still pending before him, after grant of opportunity of hearing to the petitioners 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)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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