

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.99 of 2017

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Md. Farman Son of late Md. Mastulli, Resident of Village- Jogni, Post Office-
Mirzapur, Police Station- Shambhuganj, District- Banka.

.... Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Department of Food & Consumer Protection, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Banka.
4. The District Supply Officer, Banka.
5. The Assistant District Supply Officer, Banka.
6. The Sub -Divisional Officer, Banka.
7. The Inspector, Weight and Measure, Banka.
8. The Block Supply Officer, Shambhuganj, District- Banka.

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Nurul Hoda, Advocate.

For the Respondents : Mr. S.Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-01-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for setting
aside the order as contained in Memo No. 1614 Supp./Banka dated
16.11.2016 issued under the signature of the Sub-Divisional Officer,
Banka by which he cancelled the licence of the Public Distribution
System (P.D.S.) shop of the petitioner bearing Licence NO. 38/2012
(wrongly mentioned as Licence No. 47/2016) with immediate effect, as
well as to direct the respondent to restore the licence forthwith.

3. At the very outset, learned counsel for the petitioner



fairly accepts that remedy by way of statutory appeal is available against the impugned order.

4. In the above view of the matter, this Court is not inclined to enter into the merits of the matter. The writ petition stands disposed of granting liberty to the petitioner to prefer an appeal before the appropriate authority for disposal in accordance with law.

5. It is made clear that in case such an appeal is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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