

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19637 of 2015

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Suresh Paswan son of Gopal Paswan, resident of Village-Chiraili, P.S. Khijarsarai, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Food and Consumers Affairs, Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer, Neemchak, Bathani, Gaya.
4. The District Supply Officer, Gaya.
5. The Block Supply Officer, Khijarsarai, Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate.

For the Respondents : Mr. Vivek Prasa, GP-18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-08-2018

The present writ petition has been filed for quashing the order as contained in Memo No. 1434 dated 05.09.2014 passed by learned Sub-Divisional Officer, Neem Chak, Bathani, Gaya licensing authority under the Public Distribution System Control (Order) 2001 whereby and whereunder he has cancelled the license of the petitioner; for a direction to the District Magistrate, Gaya (respondent no. 2) to expedite the hearing of Supply Appeal Case No. 30/2014 filed by the petitioner against cancellation order; and to restore the license of the petitioner's fair price shop.

2. At the very outset, this Court takes note that the petitioner has already filed an appeal being Supply Appeal No.



30/2014 before the District Magistrate, Gaya against the impugned order which is still pending.

3. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of with a direction to the District Magistrate, Gaya (respondent no. 2) to consider and dispose of Supply Appeal No. 30/2014, 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 /-Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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