

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8795 of 2017

=====

Janardan Singh, Son of late Baikunth Singh Resident of Village- Ramdiri
Ramnagar, P.O.- Ramdiri, P.S.- Matihani, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The District Magistrate, Begusarai, District- Begusarai.
3. The Licensing Authority-Cum-Sub-Divisional Officer, Begusarai, District- Begusarai.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh

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

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-01-2018

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

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

*“ (A) A Certiorari for quashing and setting aside the order
passed by the Licensing Authority-cum-Sub-Divisional
Officer, Begusarai vide Memo No. 155 dated 07.03.2017
whereby and whereunder license of the petitioner’s Fair
Price Shop bearing No. MAT-42/16 has been cancelled
contained in Annexure-1..*

*(B) A mandamus commanding the respondents to restore
the petitioner’s license as before and to make allotment for
the petitioner’s shop...*

*(C) Any other relief or reliefs for which petitioner may be
found entitled in the facts and circumstances of the present
case may be granted to him.”*



3. Learned counsel for the petitioner submits that the impugned order has been passed without giving reasonable opportunity of hearing and without application of judicial mind.
4. A perusal of the impugned order, on the other hand, discloses that pursuant to the notice the petitioner sought time which was granted and thereafter he duly furnished the requisite documents called for along with a reply to the notice which was however found unacceptable.
5. In the above circumstances, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.
6. Needless to say, the petitioner is always at liberty to file statutory appeal against the impugned order which is said to be available, in accordance with law.
7. 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.
Uploading Date	23.01.2018
Transmission Date	N.A.

