

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16177 of 2014

=====

Rajendra Yadav Son of Sri Ram Sawarup Yadav, Resident of Village- Tulsi
Bigha, P.S.- Goh, District- Aurangabad

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Food and Civil Supplies, Patna
2. The Divisional Commissioner, Magadh Division, Gaya
3. The District Magistrate, Aurangabad
4. The Sub-Divisional Officer, Daudnagar, District- Aurangabad
5. The Block Supply Officer, Goh Block, District- Aurangabad

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.

For the Respondents : Mr. Sheo Shankar Prasad, SC-10

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-08-2018

The present writ petition has been filed for quashing the order dated 19.08.2008 whereby and whereunder the licence bearing no. 4/G/93/PDS shop of the petitioner has been cancelled with effect from 19.08.2008; for quashing the order dated 18.01.2011 passed by the District Magistrate, Aurangabad in Miscellaneous Appeal No. 19/11 whereby and whereunder the appeal filed by the petitioner against the order dated 19.08.2008 has been dismissed on the ground that the appeal is barred by limitation; and for connected reliefs.

2. At the very outset, this Court takes note that the petitioner filed the appeal after an inordinate delay of more than two



years and as such the same was not entertained. Despite the appellate order having been passed as far back as on 15.03.2011, the petitioner allowed another three and half years to elapse thereafter before approaching this Court in September, 2014 without any proper explanation for such delay and laches.

3. Learned counsel for the respondents has also pointed out that the writ petition involves a disputed question of fact as the stand of the petitioner that he had filed a show cause reply dated 31.05.2008 (Annexure-4) has been controverted in the counter affidavit.

4. Be that as it may, having regard to the delay and laches on the part of the petitioner, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

