

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.62 of 2016

IN

Civil Writ Jurisdiction Case No. 10417 of 2013

=====

Subhas Rai Son of late Gujja Rai resident of Mohalla- Betwan Bazar, P.S-
Kashim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar through Department of Food and Civil Supply, the Government of Bihar, Patna.
2. The District Magistrate, Munger.
3. The Sub Divisional Officer, Sadar, Munger.
4. Marketing Officer, Town Area, Munger.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Ms. Sushmita Mishra
Mr. Surya Narayan Sah, Advocates

For the Respondent/s : Mr. Kameshwar Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-09-2018

The instant review petition has been filed for reviewing the order dated 24.08.2015 passed in CWJC No. 10417 of 2013 whereby and whereunder the writ petition has been disposed of with liberty to the petitioner to file an appeal.

2. Learned counsel for the petitioner submits that the order under review appears to have inadvertently been passed relegating the petitioner to the forum of appeal inasmuch as paragraph 15 of the Public Distribution System (Control) Order, 2001, as amended with effect from 23.06.2011, permitted an appeal to be filed only against an order of the licensing



authority denying the issue or renewal of licence or cancellation thereof.
There was thus no provision for appeal against the order of suspension.

3. Learned counsel for the respondents has not been able to point out any other provision permitting appeal against suspension of a PDS licence.

4. In the above view of the matter, the order dated 24.08.2015 passed in CWJC No. 10417 of 2013 is hereby recalled.

5. Let CWJC No. 10417 of 2013 be listed under the heading “For Admission” in due course.

6. The review petition stands disposed of.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.09.2018
Transmission Date	NA

