

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11420 of 2018

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Rudal Sah, S/o Late Deep Narayan Sah, resident of Village- Dewna Bujurg, P.S.
Runnisaidpur, District Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Food & Consumer Protection Department, Government of Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Sub Divisional Officer Sadar, Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-07-2018

Heard learned counsel for the petitioner as well as learned
counsel for the respondents.

2. The present writ petition has been filed for setting
aside the order contained in Memo No. 455 dated 30.11.2016 passed
by the learned S.D.O., Sitamarhi by which he was pleased to cancel the
P.D.S. licence of the petitioner being licence no. 24/2008-12; for
quashing the notice dated 02.11.2016 on the ground the same is not in
accordance with law and for a direction to the learned Collector,
Sitamarhi for disposal of Supply Appeal Case No. 158 of 2017.

3. Learned counsel for the petitioner confines the prayer
of the petitioner with regard to disposal of the aforesaid supply appeal.



4. At the very outset, this Court takes note that the petitioner has already filed an appeal being Supply Appeal Case No. 158 of 2017 before the Collector, Sitamarhi against the impugned order which is still pending.

5. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of with a direction to the Collector, Sitamarhi (respondent no. 2) to consider and dispose of Supply Appeal Case No. 158 of 2017, 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 three months from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	13.07.2018
Transmission Date	N.A.

