

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1528 of 2018

In
Civil Writ Jurisdiction Case No.11738 of 2014

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Vijay Kumar, son of Lome Raj Thakur, Resident of Village- Ganga Sirsiya,
P.O.- Puran Chapra, P.S.- Chakia, District- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Food, Supply and Commerce,
Government of Bihar, Patna.
2. The District Magistrate, Motihari, East Champaran.
3. District Supply Officer, East Champaran, Motihari.
4. Sub Divisional Officer, Chakia, Motihari, East Champaran.
5. Block Supply Officer, Kalyanpur, Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar No.III, Advocate
For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 02-12-2019

Ref.: I. A. No. 8118 of 2018

The present interlocutory application has been filed
under Section 5 of the Limitation Act for condoning the delay of
17 days in filing the appeal.

For the reasons mentioned in the present interlocutory
application, we are satisfied that the delay has been sufficiently
explained. The interlocutory application is allowed and the
delay in filing the appeal is condoned.

I.A. No. 8118 of 2018 stands disposed of.



The license under the Public Distribution System was cancelled 14 years back prior to the petitioner's approaching this Court by way of writ petition under Article 226 of the Constitution of India.

Learned Single Judge has dismissed the writ petition inter alia on the ground of delay and laches.

We find no illegality and infirmity again, more so when rights of other persons may have crystallized under the policy prevalent from time to time.

According, the appeal is dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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