

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2450 of 2019

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Tarkeshwar Paswan, Age about 33 Yrs, Gender-Male, S/o late Mohan Lal Paswan, R/o Village- Majhauriya, P.S. and District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary Food and Consumer Protection Department, Government of Bihar, Patna.
2. Principal Secretary Food and Protection Department, Government of Bihar, Patna
3. District Level Selection Committee through its Chairman, The District Magistrate, East Champaran at Motihari.
4. The District Magistrate, East Champaran at Motihari.
5. The District Supply Officer Cum Secretary, District Level Selection Committee, East Champaran at Motihari.
6. The Sub Divisional Officer Cum Licensee authority Cum Member District Level Selection Committee, Pakridayal, East Champaran.
7. Krishnandan Kumar, S/o Harihar Baitha, R/o Village- Banerjhula, P.S. Pakridayal, Dist East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2019 A counter affidavit has been filed on behalf of the State.

After some argument, learned counsel for the petitioner submits that he may be allowed to avail his statutory remedy before the District Magistrate, East Champaran at Motihari.

Learned counsel for the State has no objection to the petitioner seeking his remedy before the appellate forum.



In the aforesaid view of the matter, the writ application is being disposed of with liberty to the petitioner to seek his remedy in an appeal before the District Magistrate, East Champaran at Motihari in accordance with the provisions of Bihar Targeted Public Distribution System (Control) Order, 2016. If an appeal is preferred within a period of 30 days from today, the same shall be considered by respondent no.4 on its own merit and in case if a question of limitation arises for consideration, the same will be considered keeping in mind that the petitioner was pursuing his remedy before this Court.

The District Magistrate shall in such case will be obliged to hear and dispose of the appeal within the statutory period.

(Rajeev Ranjan Prasad, J)

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