

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3885 of 2019

=====

Surat Lal Sardar, aged about 43 years (male), Son of Late Agam Lal Sardar,
resident of Village- Jhitkiyahi, Ward No. 15, P.O.- Pakri, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
3. The District Officer-cum- District Magistrate, Supaul.
4. The Sub-Divisional Officer, Supaul District- Supaul.
5. The Block Supply Officer, Pipra, District- Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Advocate
For the State : Mr. U. P. Singh, AC to SC 4

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 27-05-2019

Heard learned counsel for the petitioner and learned AC
to SC-4 for the State.

2. The petitioner has moved the Court for the following
reliefs:

*“(A) To issue a writ in the nature of
certiorari setting aside the order dated 22.10.2018
contained in Memo No. 1705-2 passed by the*



Respondent Sub Divisional Officer, whereby and where-under he was pleased to cancel the P.D.S. dealership license of petitioner vide License No. 348/2010/25/2016 exercising authority under paragraph No. 25(1)(Ka) (Kha) (Ga) and (Gha) of License Public Distribution System (Control Order)-2016 and further for directing/commanding the Respondents to restore the P.D.S. dealership license of the petitioner w.e.f. 22.10.2018, the date of termination.

(B) And/or any other order(s), direction(s), writ/writs for granting any other relief of reliefs to which the petitioner is found entitled to in the facts and circumstances of this case.”

3. The challenge in the present application is to the order of the respondent no. 4 by which the PDS dealership licence in his name has been cancelled by order dated 22.10.2018.

4. Learned counsel for the State pointed out that against the said order, a statutory appeal is provided for before the respondent no. 3, which the petitioner has not availed.

5. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to file the statutory appeal before the respondent no. 3.

6. Having regard to the aforesaid, the writ petition stands disposed off with liberty aforesaid.

7. If the petitioner prefers such appeal before the respondent no. 3, within three weeks from today, along with a copy of this order, the same shall be considered on merits, in



accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

