

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9942 of 2018

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Akalu Baitha Son of Chulhai Baitha, resident of Village- Bahilwara Dhanushi,
P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Conservation Department, Government of Bihar, Patna
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate-cum-Collector, Sitamarhi, District- Sitamarhi.
4. The Sub-Divisional Officer, Sitamarhi Sadar-cum-Licensing Authority, District- Sitamarhi.
5. The Block Supply Officer, Runnisaidpur, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
For the Respondent/s : Mr. Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-05-2019

On the request and asking of the petitioner, a temporary arrangement was made for one month for running a PDS shop by another person. The aforesaid request was made by the petitioner on the ground of his ill health, which request was conceded but the order has not been revoked and despite the repeated entreaties of the petitioner to the authority concerned, specially respondent No. 4 (Sub-Divisional Officer, Sitamarhi Sadar-cum-Licensing Authority, Sitamarhi), the



temporary arrangement which had been made on the request of the petitioner has not been reviewed and the supplies have not been resumed to the petitioner for him to run the shop. Two years have passed by since then.

2. Mr. N.K. Agrawal, learned senior advocate for the petitioner submits that the license has to be restored to the petitioner and not taking an action in that regard would not even entitle the petitioner for preferring an appeal against such inaction of respondent No. 4.

3. Under the aforesaid circumstances, this Court only deems it appropriate to direct the petitioner to make a representation before the respondent No. 4 (Sub-Divisional Officer, Sitamarhi Sadar-cum-Licensing Authority, Sitamarhi) within a period of six weeks from today, detailing his grievances and making a request for resumption of supplies to him for running his PDS shop under the license earlier granted to him, who, on receipt of the same shall, after looking into the records of the case, pass necessary orders in accordance with law



within a further period of six weeks thereafter. It is being made clear that no direction is being given for restoring the license of the petitioner unless the facts are in support of the case of the petitioner.

4. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27/05/2019

