

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4637 of 2019

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Dev Nandan Sah, Gender- Male, Aged about 54 Years, Son of Late Ram Chandra Sah, resident of Village- Baghaa, P.S.- Nagar (Town), District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Patna.
2. The Collector, Begusarai District- Begusarai.
3. The Sub- Divisional Officer, Begusarai District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Labh, Advocate
For the State : Mr. Upendra Pratap Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 30-05-2019

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:

“That this writ application is being filed for issuance of appropriate writ/order/direction for disposal of Appeal filed by the petitioner on 6/6/2015 against the cancellation of P.D.S. license order before the learned Collector, Begusarai vide Miscellaneous Appeal (Supply) No. 04/2015 which is still pending beyond the statutory period and further may direct the respondents to not issue any new license in place of the petitioner till disposal of appeal.”

3. The petitioner being a dealer of a P.D.S. shop, upon his licence being cancelled by order dated 07.05.2015, preferred appeal before the respondent no. 2 under Rule 32 (iii) of the Bihar



Targeted Public Distribution System (Control) Order, 2016 (hereinafter referred to as the 'Control Order, 2016'), on 06.06.2015 being Miscellaneous Appeal (Supply) No. 04 of 2015.

4. Learned counsel for the petitioner submitted that the said appeal is pending till date which has caused prejudice to the petitioner. It was also submitted that the Control Order, 2016 requires the appeal to be disposed off within sixty days.

5. Learned counsel for the State submitted that if the appeal is still pending, the same shall be disposed off expeditiously.

6. Having considered the matter, the writ petition stands disposed off with a direction to the respondent no. 2 to ensure that if Miscellaneous Appeal (Supply) No. 04 of 2005 is still pending before him, the same is disposed off expeditiously and latest within a period of six weeks from the date of production of a copy of this order before him after giving opportunity of hearing to the petitioner.

(Ahsanuddin Amanullah, J.)

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