

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3377 of 2019

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Ram Kumar Ram aged about 57 years, Male, S/o Ramraj Ram Resident of-
Rampur, Aslan, P.O. Bagwa, P.S. Gadhni, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar through the Divisional Commissioner, Ara
2. The Divisional Commissioner Ara.
3. The District Magistrate, Ara.
4. The Sub Divisional Officer Sadar Ara.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
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 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is seeking to challenge the order dated
11.03.2016 passed in Revenue Appeal No. 1 of 2013-14 by
which the appeal preferred by the present petitioner against the
cancellation of the license of fair price shop has been
dismissed.

Learned counsel for the petitioner submits that the
petitioner was not aware of the actual date of hearing which was
fixed before the District Magistrate, Bhojpur at Ara as a result
whereof the appeal stood dismissed in default.

Learned counsel for the State is present and submits
that petitioner was not pursuing his remedy diligently before the



appellate authority.

Considering the facts and circumstances of the case, in order to allow the petitioner to vindicate his grievance and get substantial justice as against the technical one, this court would restore the appeal bearing Revenue Appeal No. 1 of 2013-14. The appeal is restored and the District Magistrate, Bhojpur at Ara is directed to consider the appeal on its own merit.

Let the appellant appear before the District Magistrate, Bhojpur at Ara on 16th May, 2019 with a certified copy of this order on which further date of hearing of the appeal will be fixed.

It is made clear that any laxity shown by the petitioner in pursuing his remedy shall go against the petitioner as District Magistrate shall not grant any adjournment in the matter and the appeal will be disposed of within a period of 90 days from the date of submission of the certified copy of the order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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