

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4235 of 2019

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Darbi Devi, aged about 64 Years (Female), Wife of Jhammu Paswan, Resident of Village Batthi Rasulpur, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Sub Divisional Officer, East, Muzaffarpur.
4. The Addl. District Supply Officer, Muzaffarpur.
5. The Block Supply Officer, Bochahan, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pradhan Murli Manohar Prasad and Mr. Raju Kumar Goswami, Advocates
For the State	:	Mr. S. Raza Ahmad, AAG 5 Mr. Alok Ranjan, AC to AAG 5

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

ORAL ORDER

3 30-05-2019 Heard learned counsel for the petitioner and learned

AC to AAG 5 for the State.

2. The petitioner has moved the Court for the

following reliefs:

*“That the petitioner has been filed
for issue an appropriate order/s, direction/s
including a writ preferably in the nature of
CERTIORARI for quashing of the order
dated 29-01-2019 passed by the learned
S.D.O, East, Muzaffarpur vide memo No. 155
(hereinafter referred to as Licensing
Authority) under the Bihar Targeted Public
Distribution System (Control) order 2016
whereby and where under he has cancelled
the fair price shop license of the petitioner
vide License No. 23-07-01-05/2016.*



The petitioner seeks indulgence of this Hon'ble court to grant him any other relief/s to which he may found entitled in the facts and circumstances of the case."

3. After some arguments, learned counsel submitted that the writ petition be disposed off with liberty to move in appeal before the District Magistrate, Muzaffarpur (respondent no. 2) under Rule 32 (iii) of the Bihar Targeted Public Distribution System (Control) Order, 2016.

4. In view thereof, the writ petition stands disposed off with liberty aforesaid.

5. As the order impugned is dated 29.01.2019 and the petitioner has affirmed the affidavit in the present case on 18.02.2019, and further, that the time limit for approaching the Appellate Authority is 30 days, the Court directs that if such appeal is filed by the petitioner within three weeks from today, the respondent no. 2 shall dispose off the same on merits, in accordance with law, within the statutory period.

(Ahsanuddin Amanullah, J.)

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