

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1401 of 2018

In
Civil Writ Jurisdiction Case No.18623 of 2014

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Gupteshwar Prasad Son of Kashi Sao resident of Village - Patila P.S. Maner,
District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate, Patna.
3. The Additional District Magistrate, Supply, Patna.
4. The District Supply Officer, Patna.
5. The Sub-Divisional Officer, Danapur, Patna.
6. The Block Supply Officer, Maner, District Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Binoy Kumar Sinha-1, Advocate
For the Respondent/s : Mr.S.Raza Ahmed -AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 09-12-2019

Re: I.A. No. 8509 of 2018

Heard learned counsel for the appellant and learned
counsel for the State.

2. The appeal is reported to be delayed by 20 days.

3. We have considered the affidavit filed in support of
the delay condonation application and we find that sufficient
cause has been shown to condone the delay in filing the appeal.
The delay is condoned and the appeal shall be treated to be
within time.



4. I.A. No. 8509 of 2018 stands allowed accordingly.

Re: L.P.A. No. 1401 of 2018

Appellant has preferred this Letters Patent Appeal against the judgment dated 06.08.2018 passed by a learned Single Judge of this Court in C.W.J.C. No. 18623 of 2014, titled as Gupteshwar Prasad Vs. The State of Bihar & Ors., whereby the writ petition filed by the petitioner stands dismissed.

Paragraph 4 of the impugned judgment reads as under:-

“It appears that the petitioner is pursuing his application filed in May, 2000, only on the ground that one PDS shop still remains vacant for allotment. However, in view of the observations in LPA No.882 of 2013 the petitioner has not been able to show that any fresh advertisement was made by the respondents or that he had filed any fresh application for grant of PDS licence. In view of the orders passed in LPA No. 882 of 2013 therefore, the present writ petition is not maintainable and stands dismissed.”

Having heard learned counsel for the parties and gone through the record as also considered the impugned judgment, we find that there is neither any merit nor any illegality or infirmity in the impugned order. No reason could be pointed out with regard to any one of the findings.



The Letters Patent Appeal stands dismissed
accordingly.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

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